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JOURNAL

OF THE

ASSEMBLY, OF WISCONSIN.

Annual Session, A. D. 1851.

WITH AN APPENDIX.

PUBLISHED BY AUTHORITY.

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JOURNAL

OF THE

ASSEMBLY, OF WISCONSIN.

WEDNESDAY, Jan. 8, 1851.

Third Annual Session of the Legislature of the State of Wisconsin, at Madison, the seat of government of said State, begun on the second Wednesday of January, the 8th day of said month, A. D. 1851.

At twelve o'clock, Meridian, of said day, the Assembly was called to order by Alexander T. Gray, Chief Clerk of the Assembly at the second annual session thereof, and the roll of the members elect, as returned by the proper county authorities to the office of Secretary of State, having been called, the following named gentlemen appeared, and answered to their names, to wit:

Brown County—John F. Lessey.

Calumet—William H. Dick.

Columbia—William T. Bradley.

Crawford and Chippeway—William T. Price.

St. Croix and La Pointe—John O. Henning.

Dane—Abram A. Boyce, Augustus A. Bird and Gabrie Bjornson.

Dodge—John Muzzy, Asa W. French, Charles B. Whitton John Lowth and William E. Smith.

Fond du Lac—Morris S. Barnett, Charles L. Julius.

Grant—James B. Johnson, John N. Jones, Robert M. Briggs.

Green—Julius Hulburt.

Iowa—Richard J. Tregaskis, Charles J. Rodolf.

Jefferson—Alonzo Wing, Samuel T. Clothier, Patrick Rogan.

La Fayette—Nathan Olmstead, Samuel Cole.

Manitowoc—G. C. O. Malmros.

Marquette—Charles Waldo.

Milwaukee—William K. Wilson, Charles E. Jenkins, John L. Doran, George H. Walker, Tobias G. Osborne, Enoch Chase, Patrick Cavney.

Portage and Marathon—Thomas J. Morman.

Racine—William L. Utley, Peter Van Vliet, James Tinker.

Kenosha—Obed P. Hale, Henry Johnson.

Rock—Edward Vincent, William F. Tompkins, John Bannister, Joseph Kinney.

Sauk—Nathaniel Perkins.

Sheboygan—A. D. La Due, John D. Murphy.

Walworth—Adam E. Ray, Henry C. Hemingway, Experience Estabrook, Elijah Easton, Wyman Spooner.

Washington—Harvey Moore, Fred. W. Horn, Frederick Stock, Francis Everly, John D. Tall.

Winnebago—Edward Eastman.

Waukesha—John C. Snover, Peter D. Gifford, Aaron V. Groot, William A. Cone, Hosea Fuller, Jr.

The Constitutional Oath of Office was then taken and subscribed by the members present, before the Honorable Chas. H. Larabee.

Mr. Lowth moved that the assembly proceed to the election of a speaker, *pro tempore*.

Which motion was agreed to.

And the roll being called,

The vote stood as follows :

For George H. Walker,

Messrs. Bannister, Barnett, Bird, Bjornson, Boyce, Bradley, Briggs, Cavney, Cole, Cone, Dick, Doran, Estabrook, Eastman, French, Fuller, Gifford, Groot, Hale, Hemminway, Henning, Horn, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, La Due, Lessey, Lowth, Malmros, Moore, Morman, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolph, Rogan, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Whitton, Wilson and Wing—59.

For Fred. W. Horn,

George H. Walker—1.

For Robert M. Briggs,

Enoch Chase—1.

George H. Walker having received a majority of the votes cast, was declared duly elected Speaker of the Assembly, *pro tempore ;*

And thereupon took the chair.

Mr. Tompkins moved that the Assembly proceed to the election of a chief clerk *pro tempore.*

Which was agreed to.

And the roll being called,

The vote stood as follows, to wit :

For Alexander T. Gray,

Messrs. Bannister, Barnett, Bird, Bjornson, Boyce, Bradley, Briggs, Cavney, Cole, Cone, Dick, Doran, Estabrook, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hale, Hemminway, Henning, Horn, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, LaDue, Lessey, Lowth, Malmros, Moore, Morman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolph, Rogan, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton and Wing—61.

For Wm. Welch,

Enoch Chase—1.

For S. M. Booth,

W. K. Wilson—1.

Alexander T. Gray having received a majority of the votes cast, was declared duly elected chief clerk, pro tempore.

Mr. Julius moved that the assembly proceed to the election of a Sergeant-at-Arms, pro tempore.

Which was agreed to.

And the roll being called, the vote stood as follows, to wit:

For E. Dwight Brown,

Messrs. Barnett, Cavney, Doran, Eastman, Hulburt, Jenkins, Julius, Muzzey, Osborne, Stock, Walker and Wilson—12.

For E. J. Blake,

Messrs. Bannister, Easton, Everly, Hale, Hemmenway, H. Johnson, J. B. Johnson, Kinney, Lessey, Ray, Spooner. Tinker, Utley, Van Vleet and Vincent—14.

For C. M. Kingsbury,

Messrs. Bradley, French, Henning, Horn, Ladue, Lowth, Malmros, Moore, Murphy, Perkins, Price, Smith, Tohl, Waldo and Whitton—15.

For Felix McLinden,

Messrs. Briggs, Cole, Jones, Moorman, Olmstead, Rodolf and Tregaskis—7.

For J. R. Larkin,

Messrs. Bird, Bjornson, Boyce, Dick and Eastabrook—5.

For Patrick Higgins,

Messrs. Cone, Fuller and Groot—3.

For E. B. Quiner,

Messrs. Rogan and Wing—2.

For Robert Ordis,

Messrs. Gifford and Snover—2.

None of the above candidates having received a majority of the whole number of votes cast, there was no election.

Mr. Spooner moved an indefinite postponement of proceedings in relation to the election of Sergeant-at-Arms, *pro tempore.*

Which was not agreed to.

The roll was again called, and the vote stood as follows, to wit:

For E. J. Blake, Messrs. Bannister, Dick, Easton, Everly, Hale, Hemenway, H. Johnson, J. B. Johnson, Kinney, Lessey, Muzzy, Ray, Smith, Spooner, Tinker, Utley, Van Vleet and Vincent—18.

For C. M. Kingsbury, Messrs. Bradley, Estabrook, Hewing, Horn, Hulburt, Ladue, Lowth, Malmros, Moore, Murphy, Perkins, Price, Rodolf, Stock, Tohl, Tompkins, Waldo and Whitton—18.

For E. Dwight Brown, Messrs. Barnett, Conley, Cone, Doran, Eastman, Fuller, Gifford, Groot, Jenkins, Julius, Osborne, Snover, Walker and Wilson—14.

For Felix Mc Linden, Messrs, Briggs, Cole, Jones, Moorman, Olmstead and Tregaskis—6.

For J. R. Larkin, Messrs. Bird, Bjornsen, and Boyce.

For E. B. Quiner, Messrs, Clothier, Rogan and Wing—3.

None of the candidates voted for having received a majority of the whole number of votes cast, there was no election.

Mr. Moorman moved that the Assembly adjourn until to-morrow at 9 o'clock a. m.

Which was not agreed to.

Mr. Jenkins moved that all proceedings in relation to the election of a Sergeant-at-Arms pro tempore be postponed until to-morrow, at 9 o'clock, a. m.

Which was not agreed to.

The roll was then called, and the vote stood as follows, to wit:

For C. M. Kingsbury—Messrs Boyce, Bradley, Clothier, Cole, Estabrook, Eastman, French, Henning, Horn, Hulburt, Jenkins, Julius, Ladue, Lowth, Malmros, Moore, Moorman, Murphy, Olmstead, Perkins, Price, Rodolf, Rogan, Stock, Tohl, Tompkins, Waldo, Walker, Whitton and Wing—30.

For E. J. Blake—Messrs. Bannister, Barnett, Bird, Bjornsen, Cone, Dick, Easton, Everly, Fuller, Gifford, Groot, Hale,

Hemenway, H. Johnson, J. B. Johnson, Jones, Kinney, Lessey, Muzzy, Ray, Smith, Snover, Spooner, Tinker, Utley, Van Vliet and Vincent—27.

For E. Dwight Brown—Messrs. Cavney, Doran, Osborne and Wilson—4.

Mr. Chase moved that the candidate who had received the highest number of votes cast, be declared elected Sergeant-at-Arms of the Assembly *pro tempore*.

Which was agreed to.

And C. M. Kingsbury was accordingly declared to be elected Sergeant-at-Arms pro tempore.

Mr. Lowth moved that the Assembly adjourn until to-morrow at 9 o'clock, a. m.

Which was not agreed to.

Mr. Tompkins moved that the Assembly adjourn until 3 o'clock. p. m.

Which was agreed to.

---

3 o'clock, P. M.

Mr. Tompkins moved that the Assembly proceed to the election of a Speaker.

Mr. Horn moved a call of the Assembly, and the roll having been called, the absentees were,

Messrs. Bird, Ladue and Van Vleet.

Mr. Chase moved that further proceedings under the call be dispensed with.

Which was agreed to.

On motion of Mr. Ladue, the Assembly adjourned until to-morrow at 9 o'clock, a. m.

THURSDAY, Jan. 9, 1851.

Mr. Walker, speaker pro tempore, called the assembly to order.

Mr. Chase moved that the assembly adopt the rules of the last session, with the exception of rule 37:

Which was agreed to.

Mr. Chase offered the following resolution, which was adopted, to wit:

Resolved, That the librarian be directed to deliver one copy of the rules of the last session to each member of the Assembly.

Mr. Tompkins presented the credentials of Mr. Seaver.

Mr. Seaver appeared, and having taken and subscribed the oath of office, took his seat.

Mr. Murphy moved that the Assembly now proceed to the election of a speaker.

Pending the question on agreeing to said motion.

Mr. Jenkins moved to postpone further proceedings upon the subject;

And the ayes and noes having been called for

Those who voted in the affirmative were,

Messrs. Barnett, Briggs, Cavney, Chase, Clothier, Doran, Easton, Hale, Horn, Jenkins, H. Johnson, Jones, Muzzy, Olmstead, Osborn, Ray, Rogan, Seaver, Smith, Spooner, Tinker, Tompkins, Utley, Van Vliet, Vincent, Waldo and Wing—27.

Those who voted in the negative were,

Messrs. Bannister, Bird, Bjornson, Boyce, Bradley, Cole, Cone, Dick, Eastman, Everly, French, Fuller, Gifford, Groot, Hemminway, Henning, Hulburt, J. B. Johnson, Julius, Kinney, La Due, Lessy, Lowth, Malmros, Moore, Morman, Murphy, Perkins, Price, Rodolf, Snover, Stock, Toll, Tregaskis, Walker, Whiton and Wilson—37.

So the motion to pospone was disagreed to.

Mr. Spooner moved to postpone further proceedings in relation to the election of speaker to 3 o'clock, P. M.

Upon which motion,

The ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Barnett, Boyce, Briggs, Cavney, Chase, Clothier, Doran, Easton, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Jones, Muzzy, Olmstead, Osborn, Ray, Rogan, Seaver, Smith, Spooner, Tinker, Tompkins, Utley, Van Vliet, Vincent, Waldo and Wing—29.

Those who voted in the negative, were

Messrs. Bannister, Bird, Bjornson, Bradley, Cole, Cone, Dick, Estabrook, Eastman, Everly, French, Fuller, Gifford, Groot, Henning, Horn, J. B. Johnson, Julius, Kinney, La Due, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Perkins, Price, Rodolf, Snover, Stock, Toll, Tregaskis, Walker, Whitton and Wilson—36.

The question on agreeing to the motion, to proceed to the election of a Speaker,

Was put,

And decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Bird, Bjornson, Boyce, Bradley, Cole, Cone, Dick, Estabrook, Eastman, Everly, French, Fuller, Gifford, Groot, Henning, Horn, J. B. Johnson, Jones, Julius, Kinney, La Due, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Olmstead, Perkins, Price, Rodolf, Snover, Stock, Toll, Tompkins, Tregaskis, Walker, Whitton and Wilson—40.

Those who voted in the negative, were

Messrs, Barnett, Briggs, Cavney, Chase, Clothier, Doran, Easton, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Muzzy, Osborne, Ray, Rogan, Seaver, Smith, Spooner, Tinker, Utley, Van Vliet, Vincent, Waldo and Wing—25.

Mr. Chase moved to adjourn to two o'clock, P. M.;

Which was not agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barnett, Briggs, Cavney, Chase, Clothier, Doran, Easton, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Muzzy, Ray, Rogan, Seaver, Smith, Spooner, Tinker, Tompkins, Van Vliet, Vincent, Waldo and Wing—24.

Those who voted in the negative, were

Messrs. Bannister, Bird, Bjornson, Boyce, Bradley, Cole, Cone, Dick, Estabrook, Eastman, Everly, French, Fuller, Gifford, Groot, Henning, Horn, J. B. Johnson, Jones, Julius, Kinney, La Due, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Olmstead, Osborne, Perkins, Price, Rodolf, Snover, Stock, Toll, Tregaskis, Utley, Walker, Whitton and Wilson, —41.

A message from the Senate, by their Chief Clerk, Wm. Hull:

Mr. Speaker:

I am directed to inform you that the Senate is now organzed and ready to proceed to business.

Messrs. Reed and Gale have been appointed a committee on the part of the Senate to act in conjunction with a similar committee on the part of the Assembly to wait upon His Excellency the Governor, and inform him that the Senate and Assembly are now organized and ready to receive any communication which he may have to make to them.

The Assembly then proceeded to the election of a Speaker.

And the roll having been called, the vote stood as follows:

For Frederick W. Horn,

Messrs. Bannister, Bird, Bjornson, Boyce, Bradley, Cole, Cone, Dick, Estabrook, Eastman, Everly, French, Fuller, Gifford, Groot, Henning, J. B. Johnson, Julius, Kinney, La Due, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Osborne, Perkins, Price, Rodolf, Rogan, Snover, Stock, Toll, Tregaskis, Utley, Walker, Whitton and Wilson—39.

For John L. Doran,

Messrs.

Briggs, Cavney, Chase, Clothier, Easton, Hale, Hemenway, Hulburt, H. Johnson, Jones, Muzzy, Ray, Smith Spooner, Tinker, Van Vliet, Vincent, Waldo and Wing—19.

For George H. Walker,

Messrs.

Barnett, Horn and Seaver—3.

For Experience Estabrook,

Messrs.

Jenkins and Olmstead—2.

For Charles E. Jenkins,

Messrs. Doran and Tompkins—2.

Frederick W. Horn, having received a majority of the whole number of votes, was declared duly elected Speaker of the Assembly.

Messrs. Tompkins and Bird were appointed a committee to wait upon the Speaker elect, and conduct him to the chair.

Mr. Horn, upon taking the chair, addressed the Assembly as follows:

Gentlemen of the Assembly.

I appear before you with feelings of no ordinary character to tender to you my acknowledgments for the honor you have conferred upon me by selecting me to preside over your deliberations.

To say that I feel grateful and honored by this mark of your kind favor and confidence, would only be expressing the true sentiments of my heart.

The duties of a presiding officer are arduous and responsible but let me hope to secure your kind assistance and those duties will also be pleasant and agreeable.

It is to be expected that during our present session, subjects of a more or less exciting nature will come before you.—I am confident that all debates will be conducted with that spirit of propriety and courtesy so much to be desired in a legislative body.

Permit me to say, in conclusion, that I will strive to gain your approbation, and if I should commit any errors in my decisions, they will be errors of the head and not of the heart.

Mr. Lowth moved that the Assembly proceed to the election of a Chief Clerk:

Which was agreed to.

And the roll having been called, the vote stood as follows:

For Alexander T. Gray,

Messrs. Bannister, Bird, Bjornson, Boyce, Bradley, Briggs, Cavney, Clothier, Cole, Cone, Dick, Doran, Estabrook, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Henning, Hulburt, Jenkins, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price Rodolph, Rogan, Seaver, Smith, Snover, Stock, Toll, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wing and Horn, Speaker—55.

For S. M. Booth,

Messrs. Barnett, Hale, Hemenway, H. Johnson, Ray, Spooner, Tinker, Vincent and Wilson—9.

For William Welch,

Mr. Chase—1.

Alexander T. Gray, having received a majority of the whole number of votes, was declared duly elected chief clerk, of the Assembly.

Whereupon the Speaker administered to him the oath of office.

Mr. Lowth moved that the Assembly proceed the election of a sergeant-at-arms.

Which was agreed to.

And the roll having been called, the vote stood as follows:

For Chas. M. Kingsbury,

Messrs. Barnett, Bird, Bannister, Bjornson, Boyce, Bradley, Briggs, Cavney, Clothier, Cole, Cone, Dick, Doran, Estabrook, Eastman, Eastou, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, J. B. Johnson,

Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmrps, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolph, Rogan, Seaver, Smith, Snover, Stock, Toll, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn, Speaker—58.

For E. J. Blake,

Messrs. Ray, Spooner and Tinker—3.

For J. R. Brigham,

Mr. Chase—1.

For S. D. Sibly,

Mr. Vincent—1.

For Sam Francis,

Mr. H. Johnson—1.

Charles M. Kingsbury having received a majority of the whole number of votes, was duly elected Sergeant-at-Arms of the Assembly.

Whereupon the Speaker administered to him the oath of office.

Mr. Jenkins offered the following resolution, which was adopted, to wit:

Resolved, That the Chief Clerk be directed to inform the Honorable Senate that the Assembly have permanently organized, and are now ready to proceed to business.

Mr. Ladue introduced the following resolution, which was adopted, to wit:

Resolved, That the commtttee of two be appointed, to act in conjunction with a similar committee from the Senate, to inform His Excellency, the Governor, that the two Houses are now organized and ready to receive any communication which he may have to make.

Messrs. Ladue and Briggs were appointed such committee.

Mr. Ray introduced the following resolution, which was adopted, to wit:

Resolved, That the Librarian be directed to furnish to each member of this House one copy of the Revised Statutes, one copy of the Session laws of the last session, and one copy of

the journal of the Senate and Assembly of the last session of the Legislature.

Mr. Jenkins introduced the following resolution:

Resolved, That each member of the Assembly be authorized to order, for his own use during the present session of the legislature, as many newspapers as he may think proper, not exceeding thirty per week, and that the charges for the same be audited and settled as incidental expenses of the Legislature.

Mr. Spooner moved to amend the resolution by striking out the word "thirty" and inserting "fifty."

Which was disagreed to.

Mr. Ray moved to strike out the word "thirty" and insert "sixty."

Which was disagreed to.

Mr. Bird moved to strike out the word "thirty," and insert "forty."

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Bird, Bradley, Cavney, Cone, Doran, Estabrook, Easton, Everly, Gifford, Groot, Hemenway, Henning, Jones, Kinney, Ladue, Lessey, Malmros, Moore, Murphy, Osborne, Ray, Rodolph, Snover, Spooner, Stock, Toll, Utley and Horn (Speaker)—28.

Those who voted in the negative, were

Messrs. Barnett, Bjornson, Boyce, Briggs, Chase, Clothier, Cole, Dick, Eastman, French, Fuller, Hale, Hulbert, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Lowth, Moorman, Muzzy, Olmstead, Perkins, Price, Rogan, Seaver, Smith, Tinker, Tompkins, Tregaskis, Vanvliet, Vincent, Waldo, Walker, Whitton, Wilson and Wing—37.

Mr. ——— moved to strike out the word "thirty," and insert "thirty-five."

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Bird, Bradley, Cavney, Cole, Cone, Doran, Estabrook, Easton, Everly, Fuller, Gifford, Groot, Hemenway, Henning, Jones, Ladue, Lessey, Malmros, Moore, Murphy, Olmstead, Osborne, Ray, Rodolph, Snover, Spooner, Stock, Toll, Tregaskis and Utley—31.

Those who voted in the negative, were

Messrs. Barnett, Bjornson, Boyce, Briggs, Chase, Clothier, Dick, Eastman, French, Hale, Hulbert, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Lowth, Moorman, Muzzy, Perkins, Price, Rogan, Seaver, Smith, Tinker, Tompkins, Van Vleit, Vincent, Waldo, Walker, Whitton, Wilson, Wing and Horn (Speaker)—34.

Mr. Jenkins demanded the previous question.

Which was ordered.

And the question

"Shall the main question be now put?"

Decided in the affirmative.

The question was then put upon the adoption of the resolutiod.

And decided in the affirmative.

Mr. Jenkins introduced the following resolution:

Resolved, That the Chief Clerk be directed to furnish the Post Master at Madison with a list of the names of the members of this Assembly, and that their postage during the present session be charged as incidental expenses of this Legislature.

Resolved further, that any member transmitting any mail matter from this place be requested to write his name on the outside thereof, if he wishes the postage thereon marked paid.

Mr. Briggs moved that the resolution lie on the table.

Which was not agreed to,

And the question being on the adoption of the resolution,

Was put,

And decided in the affirmative.

Mr. Ray introduced the following resolution:

Resolved that the Chief Clerk be directed to invite the several clergyman of Madison to officiate alternately as chaplains of this Assembly.

Mr. Chase moved to postpone the consideration of the resolution till to-moreow.

Which was not agreed to.

Mr. Jenkins moved to lay the resolution on the table,

Which was not agreed to.

Mr. Johnson moved to postpone the consideration of the resolution till 3 o'clock P. M.

Which was not agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affitmative, were

Messrs. Bird, Boyd, Briggs, Chase, Cole, Dick, Easton, Everly, Groot, Hale, Hemanway, Jenkins, H. Johnson, Jones, Malmros, Moorman, Muzzy, Rodolph, Tinker, Toll, Tregaskis, Waldo, Whitton, Wilson and Horn, Speaker—27.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Bjornsen, Bradley, Clothier, Cone, Doran, Estabrook, Eastman, French, Fuller, Gifford, Henning, Hulburt, J. B. Johnson, Kinney, Ladue, Lessey, Lowth, Moore, Murphy, Olmstead, Osborne, Perkins, Price, Ray, Rogan, Seaver, Smith, Snover, Spooner, Tompkins, Utley, Van Vliet, Walker and Wing—36.

The question on the adoption of the resolution

Was then put

And decided in the affirmative.

Mr. Ladue from the joint Committee of the Senate and Assembly, appointed to wait upon the Governor, and inform him of the organization of the two Houses, and their readiness to receive communications from him, reported that the committee had performed the duty assigned them, and were informed that his Excellency would deliver a Message in person to the Senate and Assembly, to-morrow at 12 o'clock, m.

On motion of Mr. Jenkins, the Assembly adjourned until 2 o'clock p. m,

2 O'clock P. M.

Mr. Chase introduced the following resolution, which was adopted, viz:

Resolved, that a select committee of 3 be appointed to report permanent rules for the Government of the Assembly.

On motion of Mr Tompkins, the Assembly adjourned until to-morrow at half past 11 o'clock a. m.

FRIDAY, Jan. 10th, 11½ A. M. 1851.

Prayer by the Rev. Mr. Woodward.

The journal of yesterday was read and corrected.

The Speaker announced Messrs. Chase, Estabrook and Spooner as a select committee to report permanent Rules for the government of the Assembly.

Mr. Jenkins moved that the Assembly take a recess of 15 minutes.

Which was agreed to.

The time of recess having expired,

The Speaker resumed the chair.

The Honorable Senate appeared in the Assembly Hall, with their officers.

The Honorable Samuel W. Beal took the chair and declared the two houses assembled in joint convention, and ready to proceed to business.

Mr. Tompkins moved that a committee of two be appointed to inform His Excellency, the Governor, that the convention was prepared to receive his Message.

Mr. President appointed Messrs. Tompkins of the Assem-

bly and Gale of the Senate such Committee.

At 12 o'clock m., His Excellency the Governor, attended by said committee was announced to the convention, and having been conducted to the Speaker's desk, delivered the following message:

GOVERNOR'S MESSAGE.

Fellow Citizens of the Senate and Assembly :

The annual assembling of the Constitutional representatives of an enlightened constituency, is an event of no ordinary interest to the represented. The most disinterested patriotism, I doubt not, will govern your official conduct, and actuate you in re-considering past legislation, in applying remedies for existing defects, and in devising measures for the future.

In reviewing the condition of the State for the past year, it is with deep regret that the usual congratulations for its general health and prosperity, cannot be indulged in. A malignant disease, which visited many localities of our country with great fatality, and a partial failure of one of the staple productions of the agriculturist, bear heavily upon the industrial interests.

Yet, the one having ceased to exist in our State, and the abundant harvest gathered as the reward of labor from other branches of agriculture, with the favorable indications for rich returns from agricultural efforts now in progress of maturity, a cheering prospect of hope and promise for the future is presented. Disease has not failed to mark its course in other sections of the Union, as well as Wisconsin. Death, while visiting all classes of our people, struck down the highest functionary of the National Government, and a Nation's grief has testified its gratitude for his services, and its appreciation of his worth and virtues.

Notwithstanding the adversities of the past season, the progress of our State, in every diversity of interest, is still onward and forward.

In communicating to you the condition of the state, I shall

with frankness detail to you facts, relating to that condition, as they have occurred and come within my knowledge, and plainly give you my views with reference to its future policy.

On the fourth of March next, the term of office of the Hon. Henry Dodge, one of the representatives of this State in the Senate of the United States, will expire. Under the federal constitution, it will be your duty to supply this vacancy at this session.

The treasury and the finances of the State are in sound condition;—its credit is retrieved from the stigma of bankruptcy and placed upon a firm basis. All liabilities authorized by law to be paid, have been promptly met, with a surplus at the close of the year. The policy of having funds at all times applicable to its current expenses, has been tested to be founded in true economy. I trust, therefore, that such provisions will be made at your present session, as will keep the treasury in its present healthy condition.

The Reports of the Secretary of State and State Treasurer, herewith presented, will exhibit the receipts and expenditures during the preceding and previous years, since the organization of the State Government, which are commended to your careful consideration.

From these reports the following condensed statement of receipts and expenditures is made up.

EXPENDITURES—GENERAL FUND.

Amount appropriated for all purposes for 1848,	$33,562 94
Amount appropriated for 1848 paid during 1848,	13,472 26
Amount appropriated for all purposes for 1849,	61,813 56
Amount appropriated for 1848 and 1849, paid during 1849,	52,845 96
Amount appropriated for all purposes for 1850,	62,746 20
Amount appropriated for 1848, 1849 and 1850, paid during 1850,	86,931 39

RECEIPTS—GENERAL FUND.

Amount received into the Treasury from all sources during 1848,	$13,494 66

Amount received into the Treasury from all sources during 1849,	52,833 99
Amount received into the Treasury from all sources during 1850,	93,889 88
Total receipts since organization of State Government,	$160,218 53
Total expenditures since organization of State government,	152,969 61
Balance in the Treasury January 1st, 1851,	$7,248 92

The estimated expenditures to be paid out of the State Treasury during the year 1851, are as follows:

Salaries of State Officers and Judges,	$15,950 00
Legislative expenses,	24,800 00
Stationery and Printing, including the Laws and Journals of the Legislature for 1850,	9,194 50
Maintaining State Prison Convicts,	3,500 00
Miscellaneous and contingent expenses of the State,	12,173 11
Unpaid appropriations for previous years,	1,683 33
Territorial indebtedness, including ten Canal Bonds of $1000 each, due in June 1851, and interest,	12,892 75
Total estimated expenditures for 1851,	$80,193 69

Resources to pay expenditures for 1851, are as follows:

Balance in the Treasury on January 1, 1851,	$7,248 92
Amount of 2 mill State Tax for 1850,	54,886 23
Amount of State Taxes due for previous years,	14,878 05
Amount due on Canal Mortgages,	10,195 82
Amount due from U. S. Treasury for Territorial script and bonds,	8,000 00
Amount due from Canal Receiver,	6,413 02
Estimated amount to be received from miscellaneous sources,	3,005 98
Total resources for 1851,	$104,628 02

The assessed value of taxable property in 1849, was $24,-950,000; in 1850, $27,450,000; showing an increase of only $2,500,000 during the last year. This small increase is the result of the act of last session, changing the basis of taxableproperty.

The public confidence in the credit of the State is most gratifying, and I refer you to the reports of the Secretary and State Treasurer, for particular statements of its fiscal affairs.

To meet the demands that will be made on the Treasury during the year 1852, I recommend that a tax be levied at your present session, to be assessed and collected during the the coming year, sufficient to maintain the well established credit of the State. A Treasury adequate to discharge the current expenses of government as they occur, is required by true economy and prudence.

The present basis of taxation, in my opinion, is wrong in princple, and requires legislative correction. The subjects of taxation should be, the whole tangible, visible property of the State, wherever found, without exemption or deducting the debts that may be due by the owner of the property, and without bringing credits into the taxable list. This subject has been more at large discussed in my messages to your predecessors, to which I refer, and urge that the legislation of the State may be made to conform to the principles laid down.

Serious complaints are raised against the present system of conducting the administrative affairs of Counties. It is urged that the Board of Supervisors is, in most cases, too numerous to insure a speedy and economical discharge of the duties imposed by law upon that body. Such is the opinion I entertain, and your attention is directed to it, to elicit consideration and apply the remedy, if the complaints are well founded.

An act was passed at the last session of the legislature, incorporating an institution for the education of the blind, which provided that a fifteenth of one mill tax should be assessed to aid this institution.

This tax has been assessed and is in process of collection,

and amounts to the sum of $1,830 13. It is understood that this institution has been organized, but to what extent I am unable to inform you, a report of its trustees not having been made to any department of the government. The State having lent its aid to build up the enterprise, it is proper that the progress made should be communicated to its representatives.

There is, however, no reason to question the fidelity of its officers, or that they will fail to make known the steps taken to promote its interests. Such an institution is well worthy the patronage and countenance of the State, and I commend it to your favorable notice.

In pursuance of the act providing for the sale of the School and University land, the Board of Commissioners who have the sale of these lands, and the investment of the funds arising from such sales in charge, have, with the approval of the Executive, offered for sale a large portion of those that have been appraised, and have been otherwise actively engaged in the discharge of their duties under this act, since the adjournment of the Legislature. It is intended to place in market the residue of these lands, as early as practicable next season.

The Reports of this Board will show in detail the extent of their labors, the quantity sold in each county, the amount of purchase money paid or to be paid, with the amount of loans and interest, which will merit your careful examination.

The aggregate number of acres, of the 16th sections, including the school section in the village of Racine, sold is,	90,279,70
Amount of purchase money paid, up to January 1, 1851,	$71,147 09
Amount of purchase money unpaid up to January 1st, 1851,	$444,409 76
Total amount of sales of school lands, up to Jan. 1, 1851,	515,556 85
Add amount of 5 per cent fund, received from United States for the years 1848 and 1849,	22,537 56

Total amount of School Fund on the 1st, January 1851,	538,094 41
Amount of interest received on loans up to Jan. 1, 1851,	10,640 10
Amount of interest received on unpaid purchase money up to Jan. 1st, 1851,	11,830 05
Total amount of income fund received up to Jan. 1, 1851,	22,470 15
Deduct amount paid for expenses of sale, record books, &c.,	1,118 73
Nett amount of income fund on the 1st of Jan. 1851, subject to distribution for the support of common and normal schools,	$20,651 42

The instalment of interest on the unpaid purchase money, due on the first day of this month, amounts to $27,065 35.—Should this be paid promptly, the sum to be appropriated for these objects will be $47,716 77. This result affords encouraging anticipations of what may be realized for the general instruction of the popular mind when our whole School Fund shall be made available and productive. The importance of practically educating those that succeed us on the active theatre of life, will be too well appreciated by you, not to attract your closest scrutiny and favorable action. Having discussed the educational interest of the State at large in my former messages, I shall content myself by directing your attention to the views there expressed.

The Report of the State Superintendent will furnish you with the situation and progress made in perfecting the common school system, and the plans deemed most effective for its improvement. A careful perusal and examination of the report of this officer is invited. The services of competent and qualified teachers in our common schools, are indispensible to the successful progress of this branch of our State policy. To secure such services, has been an object of the utmost solicitude, and has received the untiring efforts of those of elevated

intellect, and devoted and experienced in the art of instruction.

The discussions upon this subject, have resulted in the establishment of normal schools for imparting the art of teaching, as the means to effect the desired end most worthy of governmental patronage. The views of the Superintendent relative to this branch of our educational system, seem to be just, and deserving the attention of the legislature. The constitution declares that the income of the school fund shall be applied to the support and maintenance of common schools, academies and normal schools, and suitable apparatus and libraries. From this it clearly appears to be the duty of the legislature to appropriate a part of this income for the establishment of a normal school, if adequate benefits are received by the common schools.

The Board of Regents, in organizing the University, have established a normal department, designed exclusively for imparting the art of teaching, elementary and practical, to the instructors of our district schools. With the view to enable the primary schools to realize the benefits of the normal department at an early day, the Board, after constructing a building for the collegiate department of the University, have commenced another structure for the normal department.

This second edifice the Regents will not be able to complete at present, without enlarging the permanent debt of the institution, to which I am opposed, as its present income is inadequate to meet the annual interest of this debt, when enlarged, and its current annual expenses. I hold that the State, its municipal corporations, and every institution under its direction, should be provided with a reliable income, equal to the interest of its debt, if any, and its ordinary expenditures.— Should the University be permitted to accumulate its permanent debt by reason of its inability to discharge its current annual liabilities, it would receive a repulse, requiring years to overcome.

I trust, therefore, that the representatives of the people will keep a watchful guard over it, and not permit its permanent

debt to be increased, until its income is adequate for the purposes stated, or unless the legislature will grant it assistance from the income of the school fund, in aid of the normal department. Inasmuch as the second building is all ready commenced, and is to be appropriated in its use for the sole interest of the common schools, and for their more effectual improvement, I submit the propriety of granting the University a farther loan, sufficient to complete the structures already commenced, and that a sum equal to the interest upon the principal of the cost of the normal structure, be appropriated from the income of the school fund, to be expended under the direction of the Board of Regents, to establish and in aid of normal schools. The views expressed, in my opinion, are just, proper, and within the purview of the constitution, therefore I present them for your consideration.

The Report of the Board of Regents will place before you a history of their transactions during the year, with a statement of their expenditures and the financial condition of the Institution.

Several vacancies exist in the Board, as shown by the report, which it is your duty by law to fill.

1058 98-100 acres of the University lands, have been sold for the aggregate sum of $10,899 28—a full statement of which will be found in the report of the Board of Commissioners for the sale of these lands.

At the last session of the Legislature, an act was passed fixing the minimum price of these lands at $10 per acre, which, in most cases, exceeded the appraised value. Prior to the passage of this act, I am informed, that under the act of 1849, several pre-emption rights had accrued, and that the pre-emptors insisted that they had a vested right to purchase these lands, to the extent of their pre-emptions, at the minimum price established by the act of 1849, which was the appraised value. By reason of this alleged right, the Commissioners were unable to make sales of lands in this situation. My own opinion is, upon a full investigation of the law, that

these pre-emption rights had vested, and that the State ought in good faith to permit the pre-emptors under the act of 1849 to purchase at the appraised value. Entertaining this view, I urge a modification of the act of 1850 to protect the pre-emptors in their just and legal rights.

The five per cent, of the nett proceeds of the sales of public lands within the State for the years 1848 and 1849, amounts to $22,537 56, and has been loaned to the University. The accounts of this fund for 1850 will be adjusted soon, and will amount to about $12,000.

Of the 500,000 acres of land granted by Congress to the State, about 300,000 acres have been selected and approved by the General Government. Additional selections have been directed to be made, but I cannot inform you of the quantity, as the State Agent has not made his report.

An act was passed, approved February 9th, 1850, providing for the appraisal and sale of these lands, and it made it the duty of the Legislature to appoint the appraisers, which duty has not been performed, and the result is, no action has been had under it by the State authorities.—Some Legislative action will be required to carry out the provisions of the act referred to.

By an act of Congress passed Sept. 28th, 1850, all the Swamp and overflowed lands are granted to the State. The instructions to the Surveyor General for the selection of these lands, authorize him to receive such reliable evidence of their character, as may be presented by the State authorities, and as many of the lands were surveyed at dry seasons, all the land of that character is not represented on the plat of survey. This being an important grant, and should you deem it of sufficient importance to the interests of the State to have all these lands ascertained, I would recommend that authority be given to the Executive to have the necessary examinations made, and the means be placed at his disposal to meet the expenses to be incurred.

The improvement of the Fox and Wisconsin rivers, is pro-

gressing as rapidly as the limited means, arising from the sale of the lands granted by Congress for this object, will admit.

The Portage Canal and Locks, the Rapide Croche, the Rapide des Piere, the Rapids at Lake Winnebago, it is expected, will all be completed and ready for navigation at the commencement of next season.

The amount of excavation, by the dredge boat, required for the improvement of the Upper Fox river, has far exceeded the original estimates of the Chief Engineer and Board of Public Works. This section of the improvement could not have been effected without its aid, and it has answered all that was claimed at its construction. It is now within three or four miles of the Portage, and will reach that point early next season.

A portion of the dam at the Rapide Croche was carried away by the ice during the last winter, and the lock pits at the Rapide des Piere is required to be sunk deeper, to secure at all times sufficient depth of water.

Whether the situation of these works is the result of fortuitous circumstances, or the want of the exercise of proper judgment on the part of the officers having them in charge, I cannot now inform you. The Board of Public Works, in whom I have the utmost confidence, have been instructed by me to give the causes of these accidents a searching investigation.

The rapids at the Grand Chute and the Cedar Rapids, were placed under contract in May last, and the works commenced with vigor, and their estimated cost is about $75,000. Of this grant 132,725 21-100 acres have been selected, approved and offered for sale. The sales of these lands are as follows:

Sold in 1849 up to Jan. 15, 1850, 45,891 14-100 acres for $59,119 89.

Sold in 1850 up to Dec. 25, 1850, 42,481 90-100 acres for $53,161 70.

Making the number of acres sold, 88,373 04--100, and leaving unsold 44,352 17--100 acres, a considerable portion of which is supposed to be waste and unsaleable.

Of this sum $45,244 63--100 was expended during the year 1849, and $38,149 27--100 in 1850 to September 2d, the date of the last report.

In consequence of the lands now selected and in market not readily selling, the Board of Public Works suspended the prosecution of the work at the Grand Chute and Cedar Rapids, until the prior contracts were completed, or the residue of the grant could be made available.

The action of Congress necessary to enable the residue of the grant to be selected, has not been had. The aid of the representatives of this State, in behalf of this object, has been solicited, and it is believed that Congress will pass the requisite act at its present session.

The Board are actively engaged in examining into the situation and condition of the improvement, and making up their annual report, showing the transactions of this branch of the Public service during the year, which, when received, will be transmitted to you.

The rapidity with which the Fox river valley has been settled, by an enterprising and industrious people, and the increased commerce upon this stream since the commencement of the work, has demonstrated its value as a channel of internal communication to a large section of our State. It commends itself, therefore, to your favorable consideration.

It will be your duty to elect the Board of Public Works and the State Land Officers, as the terms of service of the present incumbents expire during your present session.

The act of Congress authorizing the people of this State to form a Constitution and State Government, grants to the State all Salt Springs not exceeding twelve, with six sections of land contiguous as may be to each, to be selected within one year after the admission of the state.

As Salt Springs have not been discovered in the State, these lands have not been selected—other States having had the benefit of a similar provision, it is just that we should be the recipients of the liberality of Congress to an equal extent, al-

though we may have no Salt Springs. Your Memorial is therefore urged, asking Congress to change the grant, directing an equal quantity to be located for the use of the State, without reference to its saline character.

The enumeration of the inhabitants of the State has been completed, under the direction of the National government, copies of which have been filed by the Marshal in the office of the Secretary of State, an abstract of which accompanies his report.

The population of the State on the 1st of June was 305,-566.

The returns of this census, present a gratifying view of the prosperity and growth of our State in every department of industry and enterprise. The Constitution declares that the legislature shall apportion and district anewthe members of the Senate and Assembly at their first session after each enumeration of the inhabitants made under the authority of the State or the United States. Your notice is directed to the subject, that this mandate of the Constitution may be complied with.

In all the annual communications emanating from the Executive to your predecessors, the imperious and urgent necessity for the construction of a penitentiary for the punishment of state prison convicts, has been pressingly urged upon their attention.

I must again reiterate the recommendation in its favor, as absolutely requisite to the due and proper administration of public justice.

I trust that at your present session, full and adequate provision will be made to commence the erection of prison buildings, by designating the point where they shall be erected, and providing the means and proper officers to carry it forward. The annual charge upon the State Treasury in the maintenance of convicts, is about $4,000, and this burden is augmenting yearly.

The present manner of punishing criminal offenders, is unjust, onerous, oppressive, and not warranted by any principle

of humanity or sound economy. It is a discredit to our State, and unworthy the character of humane and enlightened people. The Executive is forced to consider favorably, applications for pardons, which he would not be warranted in doing, if proper and suitable prisons were provided for the punishment of offenders,

I must earnestly press this subject upon your favorable notice, dictated as it is, by every consideration of public policy and criminal justice.

An appropriation of $3,000 was placed at the disposal of the Secretaty of State, Treasurer and Executive, with the view of leasing some county jail or other building, as a temporary state prison. I personally examined several structures at different points in the State, and found that none could be obtained to answer the purpose intended, without the expenditure of a sum equal to, or more than the sum appropriated.

In my opinion, the public interest would not be subserved by attempting to carry out the provisions of the Act under the information obtained, and the appropriation has not been drawn from the Treasury.

During the winter and spring, serious apprehensions of danger were entertained by some of our citizens residing north of the Wisconsin river, from the return of numerous bands of the Winnebago Indians to their old hunting grounds; and the military arm of the State was strongly solicited to protect our people, and remove them from the State. Not participating in these alarms, and desirous of obtaining correct information relative to the presence and intention of these bands, I employed an agent known to them, and acquainted with their character, to visit the localities occupied by them, for the purpose of persuading them to leave the State, and quiet the fears of the people. The course pursued, I am happy to state, practically accomplished the desired object. The expenses of this agent, amounting to $213 47, I paid out of the appro-

priation made to defray the contingent expenses of the State.

This nation have nearly all been removed from our State during last season, by the agent of the general government employed for that purpose, and it is believed that the mode of removal adopted was the most effective and economical.

I recommend a re-organization of the militia, so far as declaring what persons shall constitute it, directing the proper military subdivision of the State, the appointment of officers, and its enumeration, to be made under the direction of the Governor by the assessors of each town, as a part of their duties as such. This will answer all the purposes of a full organization, will not be burdensome to the people, and will enable the State to draw its due quota of arms.

Some place is necessary for the storage of the State arms, and the set of standard weights and measures, to be received from the general government.

The basement of the Capitol might be finished in a manner to answer these purposes. An appropriation is therefore urged for this object.

The Secretary of State, Treasurer and Governor, were, by an act of the legislature passed at its last session, empowered to settle with and audit the accounts of David Merrill, Receiver of Canal Lands, and ascertain the balance due from him to the State. In the month of June last, a partial settlement was made by these officers with the agent of the Receiver, and he delivered over to them bonds and mortgages, the principal of which was about $10,000, and all the books, papers, and vouchers in his hands as such receiver, as he alleged.

The accounts of the Receiver were audited, and a balance was found due from him of over $6,000, subject, however, to any legal and equitable claims he might hereafter present and establish. This balance has not been paid, and I am not advised of the course intended to be pursued by the Receiver relative to it. Unless it is soon adjusted, it would be advisable to have the legal remedy of the State enforced.

The Governor was, by law, directed to sell at public auction the interest of the State in the hydraulic power created by the Milwaukee and Rock River Canal Company, and in its stock. A sale was made under this law, but has not been fully consummated by the purchaser, according to the terms of sale; as soon as it is, the result will be communicated to you.

Mr. Alexander Vattemare's system of international literary and scientific exchanges, was brought to the notice of the legislature at its session in 1849, through the executive, by a communication from him, stating its object and the progress made in the United States in perfecting it. A second communication has been received, which, with the former, is laid before you, and I invite your co-operation in aid of this enterprise. Several States of the Union are enlisted in support of the system, and benefits of the highest value, and such as should command the countenance of the representatives of an enlightened people, are resulting from it.

The constitution vests in the legislature the power of designating the manner of appointing the Chief Justice of the Supreme Court. The existing laws not providing for such appointment, legislation is required to meet it, as the first Chief Justice has left the bench.

The Secretary of State reports, that the officers who have in charge the collection of docket fees, imposed upon suitors in the courts of record, and of fines imposed for the violations of the criminal laws, do not report and account for the monies received from these sources, in a manner to comport with their official obligations. The subject is brought to your notice, that a more rigid accountability of the constitutional aud legal duty of these officers may be enforced.

The claim of the State for scrip and territorial bonds, against the National Treasury, is still in process of adjustment, and will be, I am assured, closed during the present winter. The amount expected to be realized is about $6,000 or $8,000.

The State Library requires replenishing, and I called the attention of your predecessors to the importance and necessity

of appropriating the means for this object. An examination will render obvious this necessity, and the importance of making such additions as will give that practical utility to the Library for which it was established. It is estimated that the sum of $2,500 will be requisite for this purpose, and I strongly urge and recommend the appropriation of this sum, to place it in a position corresponding with the character of our State.

The ten outstanding territorial bonds, of $1,000 each, fall due on the 20th of June next. I trust that provision will be made for their payment, with accruing interest, at your present session.

Benton and Garfield hold an unadjusted claim of over $800 against the State, contracted by the late Territory at an early day. These old liabilities deserve our attention and examination, and, if found to be equitable, should be liquidated and discharged. Our well established public credit should be sustained, and a prompt compliance of our pecuniary obligations is the sure way of doing so.

In laying before you the condition of the State, I cannot omit bringing to your notice the agency of the Wisconsin Marine and Fire Insurance Company, in supplying this and some adjoining States with a paper currency, in derogation of the express provision of its charter, the constitution and general law of the State. The operations of this institution as a bank of issue and circulation, are too well known to you and the people to require a detailed history here. Why this Company and individuals are permitted to exercise with impunity, these important reserved rights and powers of the people, is a question to which a response, sustained by sound argument, reason or policy, cannot be given. It is due to the credit of the State, that such open violation of its legislation, should receive the appropriate judicial scrutiny and determination. Such legislation as will reach the evil, correct it, and ascertain the legal rights and powers of this corporation under its charter and the law, is urged for your action.

It may be urged that public sentiment is favorable to the system of banking. If so the constitution has declared the manner such privileges may be exercised, under the sanction of legal enactment. Should our people demand the adoption of this system, as conducive to their interests, let it be established under the mantle of the constitution, with such safeguards as will protect it from abuse; and let those who assume to exercise this unwarranted system, receive the proper reward for their temerity.

I deem this course essential to the purity of the administration of justice, and the maintenance of a high moral respect for the laws among the people.

The question of "Banks or no Banks" may be brought up for legislative action at your present session. I have entertained the opinion that banks of issue and circulation, are not essential to the welfare of a people whatever may be the nature of their pursuits, and this opinion has not changed; and I cannot therefore recommend the establishment of the banking system.

In my last annual message to the legislature, this subject, in connection with the Wisconsin Marine and Fire Insurance Company, was alluded to, to which I beg leave to refer.—Your action on the subject, I doubt not will be governed by the clearly ascertained and expressed wishes of the people, and with the view to beneficial results.

An act was passed at the last session of the legislature, directing the Governor to procure a block of marble or granite for the Washington Monument. Mr. A. S. Wood was employed to perform this duty. The block is now at the Capital, but not finished, and Mr. Wood informs me that it is too small to have, as the act directs, the coat of arms of the State cut upon it, and present the desired artistic taste. I therefore suggest such modification of the act as may be proper in this respect.

The agricultural interest of the country is attracting that notice, from public and scientific councils which its important

relation to other pursuits and branches of industry so justly merits. Every other interest is dependent upon its success and productiveness, and government itself draws most of its sustenance from the labor of the agriculturist. An examination of the tax lists will show, that much the largest portion of the taxable property of the State is devoted to agricultural pursuits.

Occupying a relation so important to the weaith of the country, and to all other occupations, and indeed, to the existence of government, it should receive such aid and encouragement as is within the constitutional reach of legislation.—It is a part of the system adopted by the Regents of the University, in its organization, to add a department for instruction in agriculture and useful arts, which is highly commendable. The National administration has suggested the establishment of a Bureau devoted to this branch of industry, as a means for its improvement. Your views, addressed to the federal Congress, would aid in effecting the desired end.

The improvement of Harbors upon our lake shore, and of the rapids of the Mississippi river, are of such acknowledged consequence to our commercial interests, that they will not fail to elicit such action on your part, as will tend to secure appropriations in their favor.

Individual enterprise is being directed to extending and improving the internal communication of our State, by rail and other roads, and although the State cannot, as such, directly contribute towards their construction, yet much assistance might be rendered these laudable undertakings by securing donations of land in their aid. These thoroughfares will greatly add to our aggregate wealth, and are of deep interest to the interior. I trust you will represent the wants of our people in such a light to Congress, as will ensure a favorable response. The grants of land heretofore made by that body to other States, for similar objects, is an earnest that the same liberality will be extended to Wisconsin.

The policy pursued in the disposition of the public lands

by throwing them open to the unlimited grasp of capital, merits some consideration from legislative councils.

The public domain was vested in the National Government in trust, for the general welfare, and to supply the demands of the agriculturist, created by the increase of population.—It was not designed that the government should derive a profit from the trust, or occupy the attitude of a great land speculator; or that capital should reap the enhanced value added to it by pioneer labor.

It is the home and labor of the squatter that gives value to the wilderness, and forms that germ of civilization from which springs up an enlightened community, and every purchaser of the soil from the common trustee, should increase its aggregate wealth, by bestowing similar labors upon his own. This trust should be husbanded, and sold only to actual settlers in limited quantities, at no more than the actual cost. This will prevent its monopoly.

The concentration of the right of soil in the hands of the minority, is followed by results destructive to the liberty of man; and the history of the past and present shows us, that it seriously curtails the aggregate of human happiness, physical, moral and intellectual. Had land limitation been incorporated as a fundamental principle in the original political organization of Europe, and fully carried out to the present time, we should not witness so frequent efforts to create political revolutions, or such numbers of their people leaving the soil of their nativity. It is the oppression of the Landlord, as much as the tyranny of Government, that drives the foreign immigrant to the wilds of America.

Observation shows also, that we are approximating to the same monopolizing result, (perhaps not in the same rapid ratio,) in some of the older states in the federal union. It becomes therefore a subject of high interest to the mass of our people, that it should be discussed as a question of political economy, and the legislation of the country should aid in its practical application, whenever it can be done without crip-

pling individual enterprise, or violating private rights. To what extent land limitation is a practical measure, yet is problematical r bdt that it is a correct principle, the condition of the people of most of the trans-atlantic States is unquestionable proof. The legislation of this State, has carried out this principle by limiting the quantity to be purchased by one individual at the public sale of the school lands; and both State and Congressional legislation should promote its extension, by restricting the sale of the public land, in accordance with the position stated.

Since the termination of the last session of the legislature, Congress has passed a series of measures, adjusting the irritating and difficult questions arising out of the institution of Slavery. That these questions have been settled adversely to the opinions of our people, and not in accordance with our just expectations and wishes, is true. That this result was obtained after great delay and difficulty, and the several acts of this series were adopted on the basis of compromise, as parts of an entire whole, intended as an adjustment of these critical questions, to reconcile the public dissensions, and to preserve and perpetuate the federal union, is also true. It is equally true, that this Union of States and its Constitution were formed upon a similar basis, and by the mutual concession of extreme opinions, relative to disputed points of constitutional right and policy, for the purpose of more effectually securing the sovereignty of each State, and the civil and political rights of its citizens, and to protect their persons and property, throughout the Union, without reference to their local residence.

It is no less true, that this Constitution has more than realized the most sanguine anticipations of its friends, and that the affections of the great body of the people of all the States are strongly and justly attached to its principles, and sincerely desire its preservation,

The legislation of Congress has hitherto been governed, in settling all questions of sectional interest, involving a conflict

of opinions, by the same principle of reciprocal concession and forbearance; and the government thus organized, has been maintained solely by the good faith that has been observed by the several members of the compact and their citizens, in fulfilling each and all of the duties and obligations required by the Constitution and the laws passed under it.—The chief value of the Union, consists in the voluntary observance and performance, by its several parts, of the duties and guarantees of the Constitution, and whenever it is made necessary or essential, to resort to its physical power, to enforce, against a sectional sentiment, a compliance with its injunctions, that value will be greatly impaired and finally destroyed. The adhesion of the States to the federal compact, has been more the result of the strong sentiment of the people, in the high moral obligations on their part to sustain its provisions, than of any inherent power to enforce them vested in its physical arm.

The great opposition which the Act relating to the reclamation of fugitive slaves, one of the series of the compromise alluded to, receives in many sections of the country, and the open avowal of resistance to the enforcement of its provisions, call upon every true friend of that country to weigh well the position assumed, and consider its consequences, before countenancing or placing himself in the attitude of resisting the execution of the supreme law of the land. The faithful compliance with the solemn obligations of the national constitution, and the maintenance of that elevated sentiment of high moral obligation to uphold it and the laws, are the great safeguards to preserve that unequaled charter of our liberties, and all our rights.

This fugitive slave act, so called, certainly contains provisions odious to our people, contrary to our sympathies, and repugnant to our feelings; but however odious it may be to us, the first question that presents itself, in ascertaining our constitutional duty relative to it, as a state and as citizens, is, are any of its details repugnant to the constitution? For the

purpose of responding to this question, I have carefully examined this law with reference to its legal constitutional bearing, and I am clearly of the opinion, that no clause of that instrument is violated by any of its provisions. A critical comparison of the present act with the act of 1793, and the decisions of the Supreme Court of the United States in construing it, will convince any legal and unprejudiced mind of the correctness of this conclusion. While, however, entertaining this view, I am equally clear, that this act should receive such modifications as will enable the government, while discharging its constitutional duty to one party, to effectually protect the liberty of the freeman.

It is the duty of the federal Government to fulfil all the obligations imposed, and maintain all the rights secured by the fundamental law, and it is the duty of the several states and their citizens, in seeking redress against odious details in the Legislation of Congress, to resort to the remedies recognized by the Constitution, and not to resistance to the execution of such details, however adverse they may be to our feelings and our sense of their expediency or necessity.

It is believed that Wisconsin, as a state and people, in fulfilling its federal relations, will be governed by that high sense of moral obligation, that has hitherto actuated all the states. and that in seeking relief from the objectional features of the fugitive slave act, she will appeal to the constitutional remedy by asking congress for such modifications as are consonant with our feelings and duty, and not by resisting the execution of its mandates. This is the course duty enjoins upon us, as a religious, moral and law abiding people.

I trust I shall be sustained by an affirmative tesponse from the people of Wisconsin in declaring that she will stand by the Union, sustain the great arch of its federal unity, and uphold and and maintain its constitution and its laws, at all times, upon all occasions and at every hazard.

In conclusion, I have to tender you my hearty co-operation in all of your efforts tending to the common welfare.

NELSON DEWEY.

EXECUTIVE DEPARTMENT, MADISON, January 9, 1851.

The Governor having retired,

On motion of Senator Giddings,

The convention was dissolved, and the Honorable senate returned to their chamber.

The speaker resumed the chair.

Mr. Chase from the select committee appointed to report permanent rules for the government of the assembly, reported the rules of last session with sundry amendments, and the joint rules of the last legislature without alteration.

The report was adopted and the committee discharged.

Mr. Chase introduced the following resolution, which was adopted. to wit:

Resolved, That three hundred copies of the rules adopted by the assembly, together with a list of the members of the senate and assembly, and of the standing committees of both houses, be printed; one hundred and fifty copies for the use of the assembly, and the remainder to be deposited in the state library.

Mr. Ray introduced the following resolution:

Resolved, That two thousand copies of the Governor's Message and accompanying documents be printed for the use of this house.

The question being on the adoption of said resolution.

On motion of Mr. Bird,

It was laid upon the table.

Mr. Bird moved that a committee of three be appointed to re-arrange the seats in the Assembly Hall;

Which was agreed to.

And the Speaker appointed Messrs. Bird, Tompkins and Rogan said committee.

On motion of Mr. Spooner,

The Assembly adjourned.

SATURDAY, Jan. 11th,—11 A. M.

Prayer by the Rev. Mr. Lord.

The Journal of yesterday was read and approved.

The speaker announced to the assembly, standing committees, as follows :

Judiciary—Estabrook, Biddlecombe, Murphy, Briggs and Jenkins.

Ways and Means—Lessey, Everly. Bannister, Jones, Hulburt.

Education and School Lands—Lowth, Stock, Easton, Biddlecomb, Price.

Incorporations—Jenkins, Olmstead. Jones, Malmros, Rogan.

Claims—Rogan, Chase, Tompkins, Tregaskis, Moore.

Internal Improvemements—Walker, Gifford, Bird, Tompkins, Muzzy.

Roads and Bridges—Tohl, Moorman, Eastman, Waldo, Dick.

Town and County Organization—Rodolf, Ladue, Snover, Hale, Cole.

Militia.—Utley, Hemenway, Whitton, Clothier, Fuller.

Privileges and Elections.—Moorman, Olmstead, Walker, Lessey, Waldo.

Agriculture and Commerce.—Gifford, Boyce, H. Johnson, Tohl, Kinney.

Expiration and Re-enactment of Laws.—Doran, Osborne, Perkins, Seaver and Cole.

Legislative Expenditures.—Bjornsen, Groot, Whitton, Van Vliet, Vincent.

State Affairs.—Wilson, Bjornsen, Spooner, Seaver, Everly.

Public Printing.—Ladue, Eastman, Spooner, Bradley, Wing.

Contingent Expenditures.—Bird, Julius, Cavney, Tinker, Hale.

Engrossed Bills.—Henning, Stock, H. Johnson, Julius, Smith.

Enrolled Bills.—Bannister, Doran, Briggs, Spooner, J. B. Johnson.

State Lands.—Price, Wilson. Henning, Bradley, Ray.

University and University Lands.—Murphy, Estabrook, Cone, Smith and Perkins.

Mining and Smelting.—J. B. Johnson, Boyce, Tregaskis, Hulburt, Rodolf.

Charitable and Religious Institutions.—Barnett, Ray, Cone, Easton, Vincent.

State Prison.—Moore, French, Osborne, Snover, Malmros.

Medical Societies.—Chase, Barnett, Hemenway, Wing, Tinker.

Mr. Chase presented the petition of D. E. Wood, of Calumet County, praying to be admitted to a seat in the Assembly in place of Wm. H. Dick, the member returned from said county.

Which, on motion of Mr. Chase, was referred to the committee on privileges and elections.

Mr. J. B. Johnson introduced the following resolution :

Resolved, That 2000 copies of the Governor's message be printed in the English language, 800 copies in the German language, and 500 copies in the Norwegian language, for the use of the Assembly.

On motion of Mr. Spooner, the rule requiring resolutions to lie over one day before they shall be considered, was suspended, and

Said resolution was considered.

Mr. Ladue moved to amend the resolution, by adding '1000 in the Dutch language;'

Mr. Jenkins moved to amend the amendment by striking out '1000,' and inserting '500;'

Which was disagreed to.

And the question recurring on the amendment offered by Mr. Ladue,

Was put, and decided in the negative.

Mr. Smith moved to amend the resolution by adding '500 in the Welch language.'

Which was disagreed to.

Mr. Malmros moved to amend the resolution by adding '300 copies in the Dutch language;'

Which was disagreed to.

Mr. Chase moved to amend the resolution by striking out all after the word 'printed', and before the words 'for the use of the assembly;'

Which was agreed to.

Mr Briggs moved to amend the resolution as amended, by inserting after the word 'message' the words 'and accompanying documents.'

Which was agreed to;

The question upon the adoption of the resolution as amended

Was put,

And decided in the affirmative.

Mr. Chase introduced the following resolution:

Resolved, That the chief clerk be instructed to proeure 500 copies of the Volksfreund, containing the governor's message, for the use of the assembly, at a price not exceeding ten cents per copy.

And the rules having first been suspended for the purpose,

The resolution was considered.

Mr. Doran moved to amend the resolution by adding 'the like number of the Wisconsin Banner;'

Which was agreed to.

Mr. J.B.Johnson moved to amend the resolution as amended. by striking out the word 'ten' and inserting 'five.'

Which was disagreed to:

Mr. Jenkins moved to strike out all after the word 'assembly,

Which was agreed to.

And the question on the adoption of the resolution as amended

Was decided in the affirmative.

Mr. Jenkins moved that the rule requiring resolutions to lie over one day, before consideration, be suspended, for the purpose of considering resolutions offered to day;

Which was agreed to.

Mr. Rodolf introduced the following resolution, which was adopted, to wit:

Resolved, that the chief clerk be instructed to have 300 copies of the governor's message printed in the Welch language for the use of the assembly.

Mr. Ladue introduced the following resolution, which was adopted, viz:

Resolved, that the chief clerk be instructed to procure 500 copies of the Sheboygan Niewsbode, containing the governor's message, for the use of the assembly.

Mr. Bird introduced the following resolution:

Resolved, that the chief clerk be authorized to procure 1000 copies of the Norskes Ven, containing the governor's message for the use of the assembly.

And the question being on its adoption.

Mr. Rodolf moved to amend the resolution by striking out '1000,' and inserting '500.'

Which was agreed to.

And the question on the adoption of the resolution as amended,

Was put, and

And was decided in the affirmative.

Mr. Briggs introduced the following resolution:

Resolved, That the public printer be, and he is hereby authorized to print one thousand extra copies of the annual report of the Board Regents of the University of Wisconsin, for the use of the assembly.

Mr. Spooner moved that said resolution be laid on the table;

Which was disagreed to.

Mr. Spooner then moved that the consideration of said resolution be postponed until Monday next.

Which was agreed to.

Mr. Chase introduced the following resolution, which was adopted, to wit:

Resolved, (the senate concurring) that the Librarian be instructed to deliver to each member of the senate and assembly one copy of the revised statutes.

Mr. Rogan introduced the following resolution, which was adopted, to wit:

Resolved, That the sergeant-at-arms be directed to cause a railing to be erected between the hall of the assembly and the lobby.

On motion of Mr. Boyce,

The assembly then resolved itself into committee of the whole to take into consideration the message of the governor.

Mr. Lowth in the chair,

And after some time spent therein, the committee rose, and by their chairman reported progress, and asked leave to sit again.

Leave was granted.

Mr. Boyce moved that the assembly adjourn.

Which was disagreed to.

Mr. Walker, the rules having been suspended for that purpose, introduced bill,

No. 1, *a.*, a bill to incorporate the city of Milwaukee;

Which was read the first and second time.

Mr. Tompkins, the rules having first been suspended for that purpose introduced

Bill No. 2, *a.*, a bill relating to interest of money;
Which was read the first and second time.
Mr. Boyce moved that the assembly adjourn;
Which was disagreed to.
On motion of Mr. Tompkins,
The assembly adjourned to 2 o'clock, P. M.

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2 O'Clock, P. M.

Mr. Rodolf moved that the assembly adjourn.
Which was not agreed to.
On motion of Mr. Smith,
The Assembly then resolved itself into committee of the whole for the consideration of the governor's message.
Mr. Chase in the chair.
And after some time spent therein rose and by their chairman, reported the message back to the assembly with the following references :
So much as relates to county courts, to the committee on the Judiciary.
So much as relates to the Judiciary, to the Judiciary committee;
So much as relates to the finances of the state, to the committee on ways and means;
So much as relates to the organization of county government, to the committee on town and county organization.
So much as relates to common and normal schools, to the committee on education and school lands.
So much as relates to agriculture, to the committee on agriculture and manufactures.

So much as relates to state prison, to the committee on state prison.

So much as relates to the wisconsin Marine and fire insurance company, to the committee on Judiciary.

So much as relates to swamp and saline lands, to the committee on state lands.

So much as relates to internal improvements; to the committee on internal improvements.

So much as relates to the university lands, to the committee on university and university lands.

So much as relates to banks and banking, to the committee on incorporations.

So much as relates to territorial bonds, and state indebtedness, to the committee on ways and means.

So much as relates to the Fox and Wisconsin river improvement, to the committee on internal improvements.

So much as relates to state library, to the committee on education and school lands.

So much as relates to the appraisal and sale of school lands, to the committee on state lands.

So much as relates to the subject of printing, to the committee on public printing.

So much as relates to the Militia, and standard of weights and measures, to the committee on militia,

So much as relates to the unadjusted claims of Messrs Benton and Garfield, to the committee on claims.

So much as relates to taxation, to the committee on ways and means.

So much as relates to the manner of appointing the chief Justice of the supreme court, to the committee on the Judiciary.

So much as relates to the harbors on the lake shore and rivers, to the committee on internal improvements.

So much as relates to railroads and other roads, to the committee on internal improvements.

So much as relates to the block of marble, to be contribu-

ted to the national monument to Washington, to a select committee of three.

So much as relates to senate and assembly, districts, to a committee to consist of one from each senate district.

So much as relates to the in stitution of the blind, to a se lect committee of three.

So much as relates to the fugitive slave law and the subject of slavery, to a select committee of three.

So much as relates to pre-emption rights to university lands, to a select committee of three.

So much as relates to land limitation, to a select committee of three.

So much as relates to M. Alexander Vattemare's system of international, literary and scientific exchanges, to a select committee of three.

The report of the committee of the whole was concurred in.

A message from the senate, by William Hull their chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has adopted the following resolntions:

Resolved by the senate (the assembly concurring,) that the joint rules of the two houses of the last session be adopted as the joint standing rules of the two houses for the present session;

Also,

Resolved by the senate (the assembly concurring) that the chief clerk of the senate and assembly be authorized to procure a suitable room, convenient to the capitol for the use of clerks in their employ.

In which the concurrenc of the assembly is requested.

And that the senate has concurred in the adoption of the following resolution:

Resolved (the senate concurring) that the librarian be in-

structed to furnish to each member of the senate and assembly one copy of the revised statutes.

On motion of Mr. Ray,

The assembly adjourned.

MONDAY, Jan. 13, 10 A. M.

Prayer by the Rev. Mr. Lord.

The Journal of Saturday was read and approved.

The speaker announced the following select committees:

On the subject of pre-emption rights to University lands,

Messrs. Clothier, Smith and Tohl.

On Land limitation,

Messrs. Wilson, Snover and Briggs.

On the block of marble to be contributed by the State to the Washington Monument,

Messrs. Whitton, Bjornson and Van Vliet.

On M. Alexander Vattemare's sytem of international literary and scientific exchanges,

Messrs. Walker, Eastman and Ray.

On the Fugitive Slave law and the subject of Slavery,

Messrs. Ladue, Tompkins and Spooner.

On the Institution of the Blind,

Messrs. Spooner, Lessey and Rogan;

On Senate and Assembly districts,

From the 1st Senate district Mr. Malmros.
2d " " Mr. Moorman,
3d " " Mr. Henning,

4th	"	"	Mr. Julius,
5th	"	"	Mr. Tregaskis,
6th	"	"	Mr. J. B. Johnson,
7th	"	"	Mr. Cole,
8th	"	"	Mr. Hulburt,
9th	"	"	Mr. Bird,
10th	"	"	Mr. Lowth,
11th	"	"	Mr. Moore,
12th	"	"	Mr. Rogan,
13th	"	"	Mr. Snover,
14th	"	"	Mr. Estabrook,
15th	"	"	Mr. Bannister,
16th	"	"	Mr. H. Johnson,
17th	"	"	Mr. Utley,
18th	"	"	Mr. Walker,
19th	"	"	Mr. Wilson,

Petitions and memorials were presented and severally referred, as follows:

By Mr. Lessey,

The petition of John Armstrong and others, asking for a state road on the west shore of Green Bay, in the county of Brown.

Referred to the committee on roads and bridges.

By Mr. Eastman,

The petition of E. D. Hall and others, asking for a road from Delhi to Plover Portage.

Referred to the committee on roads and bridges.

By Mr. Tregaskis,

The memorial of H. M. Billings and nine others, supervisors of the county of Iowa, asking alteration in the tax law.

Referred to committee on town and county organization.

By Mr. Waldo,

The petition of J. E. Cook and 88 others, citizens of Marquettee county, praying the incorporation of the Packwaukie Bridge Company, also a charter for said company to construct a bridge over Buffalo lake, in said county.

Referred to committee on roads and bridges.

Also,

The petition of Wm. Ewen, Jr., and 55 others, citizens of Marquette and Sauk counties, praying the appointment of three commissioners to lay out, and establish a state road from Packwaukie, Marquette county to the dells on the Wisconsin river in Sauk county.

Referred to committee on roads and bridges.

By Mr. Estabrook,

The petition of J. C. Smith, C. M. Baker, and 150 others, praying a law to limit the rate of interest.

Referred to the committee on the Judiciary.

By Mr. Waldo,

The petition of Josiah H. Dartt and 153 others, citizens of Marquette county, praying a charter for a free bridge to be built over Fox river, in said county.

Referred to committee on Roads and Bridges.

By Mr. Henning,

The petition of James M. Baily and 30 others, of the county of St. Croix, praying to have the selected school lands appraised and brought into market.

Referred to committee on Town and County organization.

Also,

The petition of said Bailey and 27 others, to change the name of the town of Elizabeth, in the county of St, Croix to Prescott.

Referred to same committee.

By Mr. Lowth,

The petition of A. B. Jones, and others, for the right to establish a state road in the county of Dodge, and for the appointment of commissioners to lay out and establish said road.

Referred to committee on Roads and Bridges.

By Mr. Barnett,

The petition of Cyrus Pasko and 150 others, praying for a

state road from Maysville in the county of Dodge, to Oshkosh in the county of Winnebago.

Referred to committee on Roads and Bridges.

By Mr. Henning,

The petition of Philip Aldrich and 18 others, of the county of St. Croix, praying a law to change the name of the town of Buena Vista in said county, to Willow River.

Referred to committee on Town and County Organization.

By Mr. Rodolph,

The memorial of H. M. Billings and 9 others, supervisors of Iowa county, praying an alteration of the revenue laws, so as to have the assessments made in the month of May; and other alterations of said law.

Referred to committee on Town and County organization.

By Mr. Waldo,

The petition of Wm. Euen and 46 others, citizens of Marquette and Columbia counties, praying the appointment of three commissioners to lay out and establish a state road from Fort Winnebago, via Packwaukie, to Plover Portage in Portage county.

Referred to committee on roads and bridges.

Also,

The petition of Charles S. Stiles and 288 others, citizens of Marquette county, praying the removal of the county seat of said county.

Referred to committee on Town and County organization.

By Mr. Lessey,

The petition of Martin Patten, and others, praying for a state road from Depere, in Brown county, to the Mississippi, at or near the junction of the Chippewa.

Referred to committee on roads and bridges.

By Mr. Eastman,

The petition of David Chamberlain and others, praying the

passage of a law granting pre-emption rights to settlers on school lands.

Referred to committee on Education and School lands.

By Mr. Barnett,

The memorial of the Board of Supervisors of the county of Fond du Lac, praying the passage of an act extending the time for the collection of taxes in said county ;

Referred to a select committee of three.

By Mr. Eastman,

The petition of H. Wilson and others, praying a grant for a state road from Omro, on Fox river, to Plover Portage on the Wisconsin.

By Mr. Everly,

The petition of John Nizing and 25 others, praying the legislature to legalize the collection of a road tax in the town of Wayne, in the county of Wilmington for the year 1850.

Referred to a select committee of three.

By Mr. Barnett,

The memorial of the county board of Fond du Lac county praying a special act to authorize the collection of the delinquent tax of the town of Calumet in said county for the year 1848.

Referred to a select committee.

Mr. Chase presented the following papers relating to the question of the contested seat of the member returned from Calumet County, Mr. Dick, to wit ;

The affidavit of Jesse Mills, Chairman of the Board of Inspectors in the town of Stockbridge, Calumet County ; also,

A copy of the returns of the election for member of Assembly in the county of Calumet.

Which said papers were referred to the committee on Privileges and Elections.

Mr. Jenkins introduced the following resolution :

Resolved, by the assembly (the Senate concurring,) That the Librarian be directed to distribute equally among the members of the legislature such copies of the laws printed in

the German and Norwegian languages, as now remain in the Library.

And moved that the rule requiring resolutions to lie over one day before they shall be considered, be suspended, and the said resolution now considered.

The assembly refused to suspend the rule.

Mr. Lessey introduced the following resolution :

Resolution, That the chief clerk be authorized to procure a suitable room, convenient to the Capitol, for the use of the Committees.

Mr. Wilson introduced the following resolution :

Resolved, by the assembly, (the senate concurring,) That the joint resolutions, censuring the Hon. Isaac P. Walker, passed during the second session of the State Legislature, be and the same are hereby rescinded.

Mr. Wing introduced the following resolution :

Resolved, As the opinion of this house, that the general atmospheric temperature of the Assembly Hall ought not to be greater than sixty-five degrees.

Mr. Bird, on leave granted, introduced bill No. 3, *a.*, a bill relating to the village of Madison,

Which was read the first and second time.

On motion of Mr. Bird, the rule requiring bills to be printed after their second reading, was suspended.

Mr. Lessey, on leave granted, introduced bill No. 4, *a.*, a bill to authorize the construction of a toll bridge across the Fox river at Depere, in Brown county,

Which was read the first and second time.

The following resolutions from the Senate were then taken up and concurred in :

Resolved, by the senate, (the assembly concurring) that the joint rules of the two houses of the last session be adopted, as the joint standing rules of the two joint houses for the present session.

Resolved by the senate (the assembly concurring) that the chief clerks of the senate and assembly be authorized to pro-

cure a suitable room, convenient to the capitol, for the use of the clerks in their employ.

A message from the senate by Wm. Hull their chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has passed,

No. 6, S., a bill making an appropriation to the reporter of the supreme court,

In which the concurrence of the assembly is requested.

The following resolution was taken up and considered.

Resolved that the public printer be and he is hereby authorized to print one thousand extra copies of the annual report of the board of regents of the university of Wisconsin, for the use of the assembly.

Mr. Wing moved to amend the resolution by adding 'one thousand copies of the report of the state superintendant of public instruction.'

Which was agreed to,

And the question being on the adoption of the resolution, as amended

Was put,

And decided in the affirmative.

The message from the senate was then taken up, and bill No. 6, S., was read the first and second times.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole for the consideration of No. 6, S.,

Mr. Spooner in the chair.

And after some time spent therein, rose, and reported said bill without amendment.

Mr Jenkins moved that the rules be suspended, and that said bill be now read a third time.

Which was agreed to.

And the bill was read a third time.

The question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were.

Messrs. Bannister, Barnett, Bird, Bjornsen, Briggs, Chase, Clothier, Cole, Cone, Dick, Esterbrook, Eastman, Easton, Everly, French, Fuller, Gifford, Groo, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Price, Ray, Rodolf, Rogan, Seaver, Smith, Spencer, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing, and Horn, (Speaker,)—60.

Mr. Boyce voted in the negative,

On motion of Mr. Rodolf,

The assembly adjourned.

TUESDAY, Jan. 14, 1850.

Prayer by the Rev. Mr. Woodward.

The Journal of yesterday was read and approved.

The Speaker announced the following select committee.

On the memorial of the Board of Supervisors of Fond du Lac county, for an act extending the time for collection of taxes in said county;

Messrs. Barnett, Lessey and Waldo.

On the memorial of said Board of supervisors, praying an act to authorize collection of the delinquent tax of the town of of Calumet, for the year 1848;

Messrs. Julius, Doran and Moore.

On the petition of John Nizing and others to legalize road

tax in the town of Wayne, in the county of Washington, for the year 1850;

Messrs. Everly, Eastman and Wilson.

Petitions and memorials were presented and severally referas follows:

By Mr. Moorman,

The petition of Moses Pakett and 300 others, citizens of Columbia county, praying for the repeal of the law chartering a ferry at Fort Winnebago on the Wisconsin river, and for the grant of another.

Referred to the committee on the judiciary.

By Mr. Muzzy,

The memorial of Samuel W. Sowles, Elisha T. Sowles and David Haskins, members of the District Board of school district, No. 1, in the town of Leroy, Dodge county, praying the legalization of the acts of said Board.

Referred to the committee on education and school lands

By Mr. Smith,

The petition of G. W. Green and 117 others, citizens of Columbia and Dodge counties, praying the appointment of three commissioners to lay out a state road, commencing at the town of Fountain Prairie, Columbia county, and terminating at Beaver Dam, in Dodge county.

Referred to committee on roads and bridges.

By Mr. Rogan,

The petition of A. F. Cady and others, praying the passage of a law at the present session of the Legislature, submitting to the people at the next General election, the question of "Banks or no Banks."

Referred to the committee on incorporations.

By Mr. Boyce,

The petition of William Welch and 110 others, citizens of Dane county, relating to the interest of money.

Referred to the committee on judiciary.

By Mr. Lessey,

The petition of Dominicus Jordan and others, praying for

a state road from Manitouwoc to N. W. $\frac{1}{4}$ of section six, (6) town twenty-two (22) north of range twenty-one (21) east, in the county of Brown.

Referred to committee on roads and bridges.

By Mr. Bannister,

The petition of Ralph Whitehead and other citizens of the town of Plymouth, Rock county, praying the passage of an act to legalize school district No. 4, in said town.

Also,

The petition of Lyman Inman and others, citizens of the town of Newark, Rock county, praying the passage of an act to legalize school district No. 2 in said town.

Both of which were referred to committee on education and school lands.

By Mr. Moore,

The petition of Isaac C. Loomis and 56 others, of Washington county, praying the appointment of commissioners to lay out and establish a state road from the village of Port Washington to the village of Fond du Lac.

Referred to committee on roads and bridges.

By Mr. Lowth,

The petition of Thomas Darvin and others, praying for the submission of the question of "Banks or no Banks" at the present session of the legislature.

Referred to committee on incorporations.

By Mr. Tompkins,

The petition of Charles C. Cheny and others, praying a charter for an academy at Emerald Grove in Rock county.

Referred to committee on incorporations,

By H. Johnson,

The petition of Wm. S. Strong and 33 others, citizens of Kenosha county, praying the legislature to re-enact an act passed at the last session of the legislature, entitled "an act for the apportionment of school monies for 1850," which expired by limitation on the 1st Monday of May last.

Referred to committee on education and school lands.

By Mr. Vincent,

The petition of the people of Johnstown, praying the submission of the banking question to the people at as early a day as practicable.

Referred to committee on incorporations.

Mr. Muzzy presented the remonstrance of Horace Barnes and 19 others, against legalizing the acts of the district board of school district No. 1, in Leroy, Dodge county.

Which was referred to committee on education and school lands.

Mr. Lessey presented the claim of the sheriff of Brown County against the State in the case of the State vs. Alexander McCarty.

Referred to committee on Claims.

Mr. Henning presented the claim of T. P. Catlin, for plats furnished the Commissioners for locating school lands for State of Wisconsin.

Also

The claim of Joseph Bowron for expenses in getting election returns from St. Croix to Madison in the fall of 1848.

Both of which were referred to committee on Claims.

Mr. Spooner gave notice for leave to introduce a bill to amend chapter 19 of title 7, part 1, of Revised Statutes.

Also,

To amend chapter 139, of title 33, part 4, of Revised Statutes.

Bills were introduced on leave granted, as follows:

By Mr. Barnett, bill

No. 5, *a.*, a bill to incorporate the Board of Trustees of Brockway College.

By Mr. Tompkins, bill

No. 6, *a.*, a bill to establish Emerald Grove Academy.

Which said bills were severally read the first and second time.

Mr. Jenkins introduced the following resolution:

Resolved, That the newspaper publishers furnishing news-

papers to this assembly be and are hereby requested to deliver the same in separate envelopes.

Mr. Whitton introduced the following resolution :

Resolved, That the Sergeant-at-arms be and he is hereby instructed to have a proper opening made in the center of the ceiling of the Assembly Hall, for the purpose of ventilation ; and that he instruct the Doorkeeper to prevent the introduction, into the lobby, of substances calculated to produce an unhealthy atmosphere.

Mr. Lowth moved a suspension of the rules, for the purpose of immediately considering said resolution :

Which was not agreed to.

Mr. Everly offered the following resolution :

Resolved, That the clerk be authorized to procure 500 copies of the report of the State Superintendent in the German language, for the use of the Assembly.

Mr. Lowth offered the following resolution :

Resolved, That the several clerks in the employ of the Assembly, shall and are hereby authorized to receive the requisite amount of stationery as allowed to and received by members.

Mr. Ladue offered the following resolution :

Resolved, That no one contesting the seat of a sitting member of the Assembly, shall be allowed any pay or compensation for his time, travel or expense, in contesting such seat, unless such contestant shall make good his right to the seat claimed by him.

Mr. Jenkins moved that the rules be suspeded and the said resolution now considered.

Which was not agreed to.

Mr. Spooner, on his own motion, was excused from serving on the select committee to whom was referred the Fugitive Slave law and the subject of slavery.

The following resolution was then taken up and adopted :

Resolved by the Assembly, (the senate concurring,) that

the Librarian be directed to distribute equally among the members of the Legislature, such copies of the laws printed in the German and Norwegian languages, as now remain in the Library.

Resolved, As the opinion of this House, that the general atmospheric temperature of the Assembly Hall ought not to be greater than 65 degrees.

The following resolution was taken up and considered:

Resolved by the assembly, (the senate concurring,) That the Joint Resolutions, censuring the Hon. Isaac P. Walker, passed during the second session of the State Legislature, be and the same are hereby rescinded.

And the question being upon the adoption thereof,

Mr. Walker was excused from voting on the same.

Mr. Rogan moved to postpone the consideration of the resolution for two weeks.

Which was not agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Boyce, Cavney, Chase, Clothier, Cone, Dick, Eastman, Easton, Everly Groot, Hale, Hemenway, H. Johnson, Kinney, Ray, Rogan, Smith, Spooner, Tinker, Tohl, Utley, Van Vliet, Vincent, Waldo and Wing —27.

Those who voted in the negative were,

Messrs. Bird. Bjornsen, Bradley, Cole, Doran, Estabrook, French, Fuller, Gifford, Henning, Hulburt, Jenkins, J. B. Johnson, Jones, Julius, Ladue, Lowth, Malmros, Moore, Moorman, Murphy, Murry, Olmstead, Osborne, Price, Rodolph, Seaver, Snover, Stock, Tompkins, Tregaskis, Whitton, Wilson and Horn, (Speaker)—36.

Mr. J. B. Johnson moved a call of the assembly,

And the roll having been called,

Messrs. Biddlecome and Doran were reported absent.

Mr. Jenkins moved to dispense with further proceedings under the call,

Which was agreed to.

Mr. H. Johnson moved to postpone the consideration of the resolution until Saturday next,

Which was not agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Boyce, Bradley, Briggs, Chase, Clothier, Cone, Eastman, Easton, Everly, Groot, Hale, Hemmenway, Hulburt, H. Johnson, Jones, Kinney, Muzzy, Rogan, Ray, Smith, Spooner, Tinker, Toll, Utley, Van Vliet, Vincent, Waldo and Wing—29.

Those who voted in the negative were

Messrs. Bird, Bjornsen, Bradley, Cavney, Cole, Dick, Estabrook, French, Fuller, Gifford, Henning, Jenkins, J. B. Johnson, Julius, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Olmstead, Osborne, Perkins, Price, Rodolf, Seaver, Snover, Stock, Tompkins, Tregaskis, Whitton, Wilson and Horn(Speaker,)—34.

Mr. Tompkins asked that the resolutions of censure referred to in the resolution under consideration, be read.

The resolutions were read.

The morning hour having expired,

Mr. Lowth moved to continue the consideration of business proper for the morning hour.

And the question being on agreeing to said motion,

Upon a division of the assembly.

The vote stood, ayes 27, noes 27.

The speaker voted in the affirmative.

So the motion was agreed to,

Mr. Spooner stated a point of order, as follows, to wit:

Whether the motion did not require the vote of two-thirds of the members present to be in the affirmative, before it could be declared to be agreed to, inasmuch as it amounted to a motion to suspend a rule of the assembly.

Which point of order the speaker decided in the negative.

Mr. Spooner appealed from the decision of the speaker.

And the question, Shall the decision of the chair stand as the judgment of the house?

Was determined in the affirmative.

Those who voted in the affirmative were

Messrs. Bannister, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Clothier, Cole, Cone, Dick, Estabrook, Eastman, Everly, French, Fuller, Gifford, Groot, Hemmenway, Henning, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Olmstead, Osborne, Perkins, Price, Rodolf, Smith, Snover, Stock, Toll, Tompkins, Tregaskis, Utley, Walker, Whitton, and Wilson—45.

Those who voted in the negative were

Messrs. Barnett, Chase, Easton, Hale, Hulburt, Ray, Rogan, Seaver, Spooner, Tinker, Van Vliet, Vincent, Waldo and Wing—18.

The question recurring on the adoption of this resolution.

Mr. Clothier moved to postpone the consideration of the resolution until to morrow.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Boyce, Briggs. Cavney, Chase, Clothier, Cone, Eastman, Easton, Everly, Groot, Hale, Hemmenway, Hulburt, H. Johnson, Jones, Kinney, Moore, Muzzy, Ray, Rogan, Smith, Spooner, Tinker. Toll, Utley, Van Vliet, Vincent, Waldo and Wing—31.

Those who voted in the negative were.

Messrs. Bird, Bjornsen, Bradley, Cole, Dick, Estabrook, French, Fuller, Gifford, Henning, Jenkins, J. B. Johnson, Julius, Ladue, Lessey, Lowth, Malmros, Moorman, Murphy, Olmstead, Osborne, Perkins, Price, Rodolf, Seaver, Snover, Stock, Tompkins, Tregaskis, Whitton, Wilson and Horn (speaker)—32.

Mr. Barnett moved that the further consideration of the resolution be indefinitely postponed.

And the question being upon agreeing to said motion,

Mr. Rogan moved that the assembly adjourn.

Which was not agreed to.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Boyce, Briggs, Cavney, Chase, Eastman, Easton, Everly, Groot, Hale, Hemmenway, Hulburt, H. Johnson, Kinney, Muzzy, Ray. Rogan. Smith, Spooner, Tinker, Toll, Utley, Van Vliet and Vincent—25.

Those who voted in the negative were

Messrs. Bird, Bjornsen, Bradley, Clothier, Cole, Cone, Dick, Estabrook, French, Fuller, Gifford, Henning, Jenkins, J. B. Johnson, Jones, Julius, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Olmstead, Osborne, Perkins, Price. Rodolf, Seaver, Snover, Stock, Tompkins, Tregaskis, Waldo, Whitton, Wilson, Wing and Horn (speaker,—38.

Mr. Spooner moved that the resolution be committed to a select committee, with instructions to report a preamble setting forth reasons why this house should adopt the resolution.

Which was not agreed to.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Boyce, Briggs, Chase, Clothier, Eastman, Easton, Everly, Groot, Hale. Hemmenway, Hulburt, H. Johnson, Kinney, Ray, Smith, Spooner, Tinker, Toll, Utley, Van Vliet, Vincent, Waldo, and Wing—25.

Those who voted in the negative were

Messrs. Bird, Bjornsen, Brad ey, Cavney, Cole, Cone, Dick Estabrook, French, Fuller, Gifford, Henning, Jenkins, J. B. Johnson, Jones, Julius, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Rogan, Snover, Stock, Tompkins, Tregaskis, Whitton, Wilson and Horn [speaker]—38.

Mr. Clothier moved that the assembly adjourn to 3 o'clock, P. M.

Which was not agreed to.

Mr. H. Johnson moved to amend the resolution by striking out all after the word 'resolved.'

Which was not agreed to.

Mr. Tompkins moved to adjourn to 2 o'clock, P. M,

Which was not agreed to.

Mr. Barnett moved that the assembly adjourn.

Which was disagreed to.

The question then recurring on the motion of Mr. Barnett that the resolution be indefinitely postponed, it

Was put.

And decided in the negative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Briggs, Clothier, Eastman, Easton, Everly, Hale, Hemmenway, Hulburt, Kinney, Ray, Smith, Spooner, Tinker, Toll, Utley, Van Vliet, Vincent, Waldo and Wing—21.

Those who voted in the negative were

Messrs. Bird. Bjornsen, Boyce, Bradley, Cavney, Chase, Cone, Cole, Dick, Estabrook, French, Fuller, Gifford, Groot, Henning, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Rogan, Seaver, Snover, Stock, Tompkins, Tregaskis, Whitton, Wilson, and Horn [speaker]—42.

The question on the adoption of the resolution

Was then put,

And decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bannister, Bird, Bjornsen, Boyce, Bradley, Cavney Cole, Cone, Dick, Estabrook, Everly, French, Fuller, Gifford, Groot, Hemmenway, Henning, Jenkins, H. Johnson, J. B.

Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Rogan, Snover, Stock, Tompkins, Tregaskis, Whitton, Wilson and Horn [speaker]—44.

Those who voted in the negative were

Messrs. Barnett, Briggs, Chase, Clothier, Eastman, Easton Hale, Hulburt, Ray, Seaver, Smith, Spooner, Tinker, Toll, Utley, Van Vliet, Vincent, Waldo and Wing—19.

On motion of Mr. Lessey,

The assembly adjourned.

WEDNESDAY, Jan. 15th, 10, A. M.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read and corrected.

The speaker announced the following committees:

Joint committees, on printing, to act in conjunction with similar committee on the part of the senate.

Messrs. Ladue, Eastman and Spooner.

Joint committee on enrolled bills,

Messrs. Bannister, Doran and Briggs.

Mr. Jones presented the credentials of Mr. Biddlecome.

Mr. Biddlecome appeared, was sworn and took his seat.

Petitions and memorials were presented and severally referred as follows:

By Mr. H. Johnson,

The memorial of the Kenosha county agricultural society, praying for a law levying a tax on dogs in said county.

Referred to committee on town and county organization.

By Mr. Lessey.

The petition of John Last and others, praying for a law declaring Little river in the county of Brown; a navigable stream.

Referred to committee on internal improvements.

By Mr. Hale;

The petition of James Keith and 31 others praying for a law suppressing the sale of intoxicating drinks.

Referred to committee on religious and charitable institutions.

By Mr. J. B. Johnson,

The petition of Wm. Richardson and others praying a law to authorize the town supervisors of the town of Paris, Grant county, to make a dividend of the school fund to the several districts therein.

Referred to a special committee consisting of the members of assembly from Grant county.

By. Mr. Eastman;

The petition of W. J. Brockway and others praying for a state road from Ripon to Oshkosh.

Referred to committee on roads and bridges.

Mr. Perkins presented resolutions of the board of supervisors of Sauk county, praying for alterations of the laws concerning the duties of county officers.

Which resolutions were referred to the committee on Towu and County organization.

Mr. Bird presented the account of R. W. Lansing vs. the State of Wisconsin.

Referred to committee on claims.

Mr. Lessey presented the account of the sheriff of Brown county vs. the state.

Referred to the committee on claims.

The following resolutions were introduced, and the rules being suspended, were considered and adopted.

By Mr. Estabrook,

Resolved, that the use of this hall be granted to Mr. J. E. Vinton (the Mohawk Dutchman) for the purpose of a temperance address this evening.

By Mr. Moorman,

Resolved, That the committee on privileges and elections, to whom was referred the petition of D. E. Wood. be authorized to send for persons and papers in relation to the matter so referred to them, and that the chairman of the committee be authorized to issue subpoenas for witnesses.

By H. Johnson.

Resolved, That the Public Printer be, and he is hereby requested to print and stich in separate pamphlets the Governor's message, and the several accompanying documents, which have been ordered by the House, and that he furnish the same to the House as soon as practicable.

Mr. Olmstead, on leave granted, introduced bill

No. 7 (A,) a bill to permanently locate the county seat of Lafayette county.

Which was read the 1st and 2d time.

On motion of Mr. Olmstead. the said bill was referred to a select committee.

The Speaker appointed Messrs. Olmstead, Henning. and Ray such committee.

The following resolutions were taken up, considered and adopted.

Resolved, that the chief clerk be authorized to procure 500 copies of the report of the state superintendents of public instruction to be printed in the German language for the use of the assembly.

Resolved, that the newspaper publishers furnishing newspapers to the assembly, be and are hereby requested to deliver the same in separate envelopes.

Resolved, that the chief clerk be authorized to procure a suitable room convenient to the capitol, for the use of the committees.

The following resolution being under consideration, to wit:

Resolved, that the sergeant at arms be and is hereby instructed to have a proper opening made in the center of the ceiling of the assembly hall for the purpose of ventilation;and that he instruct the door keeper to prevent the introduction into the lobby, of substances calculated to produce an unhealthy atmosphere,

Mr. Rodolf moved to amend the resolution by striking out all between the word 'instructed' and the words 'to instruct.' which was agreed to.

Mr. Bird moved that the further consideration of the resolution be indefinitely postponed.

Which was agreed to.

The following resolution was then taken up and considered:

Resolved, that the several clerks in the employ of the assembly shall and are hereby authorized to receive the requisite amount of stationery allowed to and received by members.

M. Bradley moved to amend the resolution by inserting after the word 'clerks' the words 'and sergeant at arms.'

Which was not agreed to.

Mr. Barnett moved to amend the resolution by striking out the words between the word 'that' and the words 'of the assembly' and insert in lieu thereof the words 'the chief clerk and sergeant at arms.'

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Barnett, Bird, Bjornsen, Boyce, Bradley, Cavney, Chase, Cole, Cone, Dick, Doran, Eastman, Easton, Everly, Fuller, Gifford, Groot, Hemmenway, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Moorman, Murphy, Muzzy,

Perkins, Ray, Rogan, Seaver, Smith, Tinker, Tohl, Tompkins, Waldo, Wing and Horn (speaker)—37.

Those who voted in the negative were

Messrs. Bannister, Biddlecome, Briggs, Clothier, Estabrook French, Hale, Perkins, Jones, Ladue, Lessey, Lowth, Malmros, Moore, Olmstead, Osborne, Rodolf, Snover, Spooner, Stock, Tregaskis, Utley, Vincent, Walker, Whitton and Wilson—26.

The resolution as amended was adopted.

The following resolution was then taken up and considered.

Resolved, that no one contesting the seat of a sitting member of the assembly, shall be allowed any pay or compensation for his time travel or expenses in contesting such seat, unless such contestant shall make good his right to the seat claimed by him.

Mr. Smith moved to amend the resolution by adding as follows: 'or shall make it appear that there is good reason for contesting such seat.'

And the question being on the adoption of said amendment,

Mr. Wilson moved that the resolution and the pending amendment be laid upon the table.

Which was agreed to.

On motion of Mr. Bird,

The assembly then resolved itself into committee of the whole for the consideration of bill

No. 3, *a.*,

Mr. Murphy in the chair.

And after some time spent therein, the committee rose and by their chairman, reported back said bill without amendment.

The report of the committee of the whole being under consideration,

The said bill was ordered to be engrossed and read a third time.

On motion of Mr. Jenkins,

The assembly then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Estabrook in the chair.

And after some time spent therein the committee rose and by their chairman reported back without amendment, bill

No. 4, *a.*,

And also, progress on the general file of bills,

And asked leave to sit again.

Leave was granted.

A message from the senate by Wm. Hull, Esq.,their chief clerk.

Mr. Speaker:

I am instructed to inform you that the senate have passed,

No. 3, S., a bill providing for the election of a chief justice.

No. 4, S., a bill authorizing the construction of wharves in ths city of Milwaukee.

And,

No. 1, S., memorial to the President of the United States, for the survey of the public lands north of Fox river.

In which the concurrence of the assembly is requested.

Mr. Easton moved that the assembly adjourn.

Which was disagreed to.

On motion of Mr. Tompkins,

The assembly adjourned to 2 o'clock, P. M.

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2 O'Clock, P. M.

The report of the committee of the whole on said bill No. 4, *a.*, being under consideration,

And,

The question pending being on ordering said bill to be engrossed and read a third time,

Mr. Ray moved to amend by adding another section as follows:

Any future legislature may amend or alter this act.

Which was agreed to.

The said bill was then ordered to be engrossed and read a third time.

On motion of Mr. Everly from the select committee to whom was referred the petition of John Nizing and 35 others,

The said petition was referred to the committee on ways and means.

On motion of Mr. Jenkins,

The committee on privileges and elections, to whom was referred the subject of the contested seat of Mr. Dick, were excused from attendance on the assembly until they shall be ready to report on said subject.

Mr. Rodolf from the committee on town and county organization, reported bill

No. 8, *a.*, a bill to change the name of the town of Buena Vista in St. Croix county.

Also

No. 9, *a.*, a bill to change the name of the town of Elizabeth in St. Croix County.

Which said bills were severally read a first and second times.

On motion of Mr. Rodolf the rules were suspended for the purpose and

The assembly resolved itself into committee of the whole for the consideration of said bill No. 8, *a.*,

Mr. Jenkins in the chair.

And after some time spent therein, the committee rose and by their chairman reported back said bill without amendment.

The report of the committee of the whole being under consideration,

The said bill was ordered to be engrossed and read a third time.

Mr. Rogan from the committee on claims reported bill

No. 10, *a.*, a bill to pay to Joseph Brown the sum therein named.

Which was read a first and second time.

On motion of Mr. Rogan, the rules were suspended for the purpose, and

The Assembly resolved itself into committee of the whole, for the consideration of said bill,

Mr. Spooner in the chair,

And, after some time spent therein, rose, and by their chairman, reported the same back without amendment.

The said bill was then ordered to be engrossed and read a third time.

On motion of Mr. French,

The Assembly adjourned.

THURSDAY, January 16, 10 o'clock, A. M.

Prayer by the Rev. Mr. Woodward.

The Journal of yesterday was read and corrected.

Petitions and memorials were presented and severally referred, as follows:

By Mr. Bird.

The petition of Major Rowley and twenty-eight others, for the enactment of a usury law:

Referred to committee on incorporations.

By Mr. Murphy.

The petition of James Preston and others, for the charter of an academy in the village of Cascade, Sheboygan county.

Referred to committee on education and school lands.

By Mr. Eastman.

The petition of J. N. Mallony and others, citizens of Winnebago county, for a grant of a State road from Delhi to Plover Portage.

Referred to committee on roads and bridges.

By Mr. Cone.

The petition of E. J. Loomis and 14 others, praying for the legalization of a road in the town of Berlin, Waukesha county:

Referred to committee on roads and bridges.

By Mr. H. Johnson.

The petition of J. M. Kellogg and 49 others, citizens of the State of Wisconsin. praying for the enactment of a law suppressing the sale of intoxicating drinks as a beverage.

Referred to committee on charitable and religious institutions.

By Mr. Biddlecome.

The petition of N. W. Empie and 7 others, for granting certain privileges to District No. 8 in the town of Sharon, Walworth county.

Referred to committee on education and school lands.

By Mr. Chase.

The petition of Hiram Dayton and 55 others, citizens of Greenfield, Milwaukee county, to have the question of "Banks or no Banks" submitted to the people at the next general election:

Referred to committee on privileges and elections.

By Mr. Malmros.

The petition of R. Glover and others:

Also,

The petition of Lor Peterson and others:

Also,

The petition of Cha's Kuehn and others;

Also,

The petition of A. Borrhards and others;

Also,

The petition of Wm. Henry and others, for the repeal of our present liquor law, &c.

Which said petitions, on motion of Mr. Malmros, were referred to a select committee of 3.

The Speaker appointed Messrs. Malmros, Doran and Ray such committee.

By Mr. Eastman.

The memorial of Supervisors of Winnebago county, in relation to state roads.

Read and referred, on motion of Mr. Eastman to a select committee of 3.

The speaker appointed Messrs. Eastman, Waldo and Bannister such committee.

By Mr. Murphy.

The petition of Owen Rooney and others, for changing the name of the town of Olio, Sheboygan county, to "Mitchell."

Referred to a select committee, to consist of the members of Assembly from said county.

Mr. Eastman presented the resolutions of supervisors of Winnebago county, requesting the member of Assembly from that county to vote for the submission of the question of 'Banks or no Banks' to the people.

Referred to committee on incorporations.

Mr. H. Johnson presented resolutions of Kenosha county agricultural society, in relation to the formation of state agricultural society, and an agricultural department in the State University.

Referred to committee on agriculture and commerce.

Mr. Rodolf presented the account of H. Van Dusen vs. the state.

Referred to committee on claims.

Mr. Lessey introduced the following resolution:

Resolved, That the doorkeeper be, and he is hereby directed to open the windows of the assembly room of evenings, sufficient for a healthy ventilation of said room.

Mr. Wing introduced the following preamble and resolutions:

Whereas, certain resolutions passed March 31st, A. D. 1849, by the Legislature of this state, censuring the course of Hon. I. P. Walker, one of our Senators in Congress, have been rescinded by this Assembly:

And

Whereas, part of the members of this House do believe that said rescinding resolutions reflect discredit upon the Hon. Henry Dodge, our other Senator in Congress, therefore

Resolved, That this Assembly do fully approve and commend the course of the Hon. Henry Dodge, in the Senate of the United States.

Mr. Tompkins introduced the following resolution:

Resolved, That a select committee of 5 be appointed—3 from the line of the Fox river and Wisconsin improvement, and 2 from other sections of the state, to act in conjunction with a committee from the Senate, for the same purpose, to investigate the condition and management of said improvement.

Mr. Biddlecome introduced the following resolution:

Resolved, That the use of the Assembly hall be tendered to the historical society of the state of Wisconsin, for the purpose of an address by the Hon. M. L. Martin, to be delivered this evening.

The rules having been suspended for the purpose of considering said resolution,

It was considered and adopted.

Mr. Briggs, on leave granted, introduced bill

No 11, *a*, a bill to amend section 25, of chapter 10 of the revised statutes.

Which was read 1st and 2d time, and

On motion of Mr. Briggs,

Referred to committee on judiciary.

Mr. Price, from the committee on state lands, to whom was referred the petition of James M Bailey and 30 others,

of the county of St. Croix for the appraisal of the selected school lands, etc., reported bill

No. 12, *a.*, a bill to amend an act entitled an act to provide for the appraisal and sale of school lands, and for granting pre-emption rights thereon, approved Feb. 9th, 1850.

Which said bill was read the first and second time.

Mr. Henning from the committee on engrossed bills, reported

Nos. 3, *a.*, 4, *a.*, 8, *a.*, 10, *a.*, correctly engrossed,

Mr. Lowth from the committee on education and school lands, to whom was referred the petition of Wm. M. Strong and 33 others, citizens of Kenosha county, praying the legislature to re-enact an act of the last legislature entitled 'an act for the apportionment of school monies for 1850,' etc., reported bill

No. 12, *a.*, a bill for the apportionment of school monies for the year 1851.

Which said bill was read the first and second time.

Mr. Wilson from the select committee to whom was referred that part of the Governor's message relating to land limitation, reported bill

No. 14, *a.*, a bill to limit tht quantity of lands hereafter to be held or owned by any one person.

Which was read the first and second time.

The message from the senate was then taken up, and bills

No; 3, S., a bill providing for the election of a chief Justice,

No. 4, S., a bill author zing the construction of wharves in the city of Milwaukee;

And,

No. 1, S., a memorial to the president of the United States for the survey of the public lands north of Fox river.

Were severally read the first and second time:

On motion of Mr. Spooner, said bill

No. 3, S., was referred to committee on judiciary.

Bill No. 3, *a.*, a bill relating to the village of Madison, read a third time, passed and

The title thereof agreed to.

No. 4, *a.*, a bill to authorize the construction of a toll bridge across the Fox river, at Depere, in Brown county.

Was read a third time.

And the question being upon the passage of said bill

Mr. Lessey had unanimous leave to amend the same, by inserting after the word 'horses' where it occurs in sec. 3. of said bill, the word 'mules.'

The said bill was then passed,

And the title thereof agreed to.

No. 8, *a.*, a bill to change the name of the town of Buen Vista in St. Croix County,

Was read a third time, passed, and the title thereof agreed to;

No. 10, *a.*, a bill to pay Joseph Bowron the sum therein named;

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Cone, Dick, Doran, Estabrook, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hale, Hemmenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lowth, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Snover, Smith, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—63.

Messrs. Clothier and Vincent voted in the negative—2.

On motion of Mr. Briggs,

The assembly then resolved itself into committee of the whole for the consideration fo the general file of bills.

Mr. Briggs in the chair.

And after some time spent therein, rose and by their chairman reported back to the assembly,

No. 9, *a.*, a bill to change the name of the town of Elizabeth in St. Croix county.

Without amendment.

And also,

Progress on the general file and asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bill No. 9, *a.*, was ordered to be engrossed and read a third time.

Mr. Walker, on leave granted introduced bill

No. 15, *a.*, a bill to authorize the assessment and collection of taxes in the city of Milwaukee.

Which said bill was read the first and second time.

On motion of Mr. Jenkins the rules were suspended for the purpose, and

The assembly resolved itself into committee of the whole, for the consideration of said bill;

Mr. Biddlecome in the chair.

And after some time spent therein, rose and by their chairman reported back said bill with a recommendation that it be referred to a select committee to consist of the members of assembly from Milwaukee city and county.

The said bill was so referred.

On motion of Mr. Eastman,

The assembly adjourned.

FRIDAY, Jan. 17th, 10, A. M.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read and approved,

Petitions were presented and severally referred as follows:

By Mr. Bradley,

The petition of Alfred Foster and 20 others for a state road from Fort Winnebago through Pardeeville, to Spring Vale.

Referred to committee on roads and bridges.

By Mr. Hale,

The petition of Jesse Hooker and 57 others for a law suppressing the sale of intoxicating liquors;

Referred to committee on charitable and religious institutions

Mr. Bird presented two accounts of Peter W. Matts vs. the state of Wisconsin.

Referred to committee on claims.

Bills were introduced on leave granted, as follows:

By Mr. Muzzy, bill

No. 16, *a.*, a bill to repeal sec. 3, chap, 88, title 22, part 3 of the revised statutes, and to amend section 9, of the same.

By Mr. Biddlecome, bill

No. 17, *a.*, a bill to amend chap. 12, of title 4, of the revised statutes.

By Mr. J, B. Johnson, bill

No. 18, *a.*, a bill relating to hawkers and peddlers.

By Mr. Dick, bill

No, 19, *a.*, a bill to legalize the acts of the town clerk and town treasurer in the town of Manchester, in Calumet county, and to extend the time of collecting taxes in said town.

Which said bills were severally read the first and second time.

The following resolution was considered and adopted:

Resolved, that the doorkeeper be and is hereby directed to open the windows of the assembly room, of evenings, for a healthy ventilation of said room.

The following preamble and resolutions were taken up and considered:

Whereas, certain resolutions passed March 31st, A. D. 1849, by the legislature of this state, censuring the course of the Hon. I. P. Walker, one of our senators in congress, have been rescinded by this assembly. And,

Whereas, part of the members of this house do believe that said rescinding resolutions reflect discredit upon the Hon. Henry Dodge, our other senator in congress, therefore

Resolved, that this assembly do fully approve and commend the course of the Hon. Henry Dodge in the senate of the United states.

And the question being upon the adoption of the said preamble and resolution,

Mr. Rogan moved to amend the same by inserting the word 'so' between the word whereas and the word 'party,' in the second section of the preamble.

And the question being on the adoption of said amendment,

Mr; Jenkins moved that the said preamble and resolution, with the amendment pending, be laid on the table until Tuesday next,

A message from the senate by Wm. Hull, Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate has passed,

No. 9, S., a bill to appropriate to L. T. Rice the sum therein named;

No. 10, S., a bill to appropriate to Romanzo B. Rice the sum therein named,

Nor 11, S., a bill to appropriate to James P. Greves the sum therein named.

No. 12, S., a bill to appropriate to Hatch and Patterson the sum therein named.

No. 13, S., a bill to appropriate to T.H. Brown the sum therein named.

No. 14, S., a bill to appropriate to J. and W. H, Carey the sum therein named.

No. 15, S., a bill to amend the law in relation to the action of ejectment;

No. 16, S., a bill to change the time for holding the county court for the county of Kenosha.

And;

No. 27, S., a bill to extend the time for collecting taxes in the county of Fond du Lac.

In which the concurrence of the assembly is requested;

And has concurred in the adoption of the following resolution.

Resolved by the assembly (the senate concurring) that the librarian be directed to distribute equally among the members of the legislature, such copies of the laws printed in the German and Norwegian languages as now remain in the library;

And the senate has also adopted the following resolution:

Resolved by the senate (the assembly concurring) that the senate and assembly will meet in joint convention in the assembly hall on Monday, the 20th inst. at 12 of the clock, Meridian, for the purpose of electing a United States senator to fill the vacancy occasioned by the expiration of the term of office of the Hon. Henry Dodge;

In which I am instructed to ask the concurrence of the assembly;

The following resolution was taken up and considered:

Resolved, that a select committee of 5 be appointed—3 from the line of the Fox river and Wisconsin improvement—and two from other sections of the state, to act in conjunction with a committee from the senate, for the same purpose to in-

vestigate the condition and management of said improvement;

And the question being on the adoption thereof,

On motion of Mr. Tompkins, the resolution was amended by inserting after the word 'resolved,' the words 'by assembly' and between the words 'a' and 'select' the word 'joint' and before the words 'committee from the senate' the word 'similar.'

And the resolution so amended

Was adopted.

Mr. Henning from tha committee on engrossed bills reported

No. 9, *a.*, a bill to change the name of the town of Elizabeth in St. Croix county, correctly engrossed;

Mr. Lowth from the committee on education and school lands, submitted the following report:

The committee on education and school lands beg leave to report:

That they have had the petition of Messrs. Towles and Haskins, asking the legislature to legalize the organization of a certain school district therein named, under consideration, as also the remonstrance of Horace Barnes and others against legalizing the organization and acts of said district, and they recommend that the assembly take no action on the prayer of the petitioners;

J. LOWTH,
Chairman.

Mr. Jenkins from the committee on incorporations, to whom were referred sundry petitions for the submission of the banking question to the people, presented a report in relation to the subject;

(See Appendix B.)

And also reported bill

No. 20, *a.*, a bill to submit the question of bank or no bank;

Which said bill was read the first and second times,

And.

On motion of Mr. Jenkins,

Said bill was made the special order of the day for Wednesday next;

On motion of Mr. Spooner,

Ordered that 500 copies of the report accompanying said bill be printed for the use of the assembly.

Mr. Olmstead from the select committee to whom was referred,

No. 7, *a.*, a bill to permanently locate the county seat of Lafayette county;

Reported back said bill without amendment.

The message from the senate was then taken up, and considered, and said bills

Nos. 9, S., 10, S., 11, S., 12, S., 13, S., 14, S., 15, S., 16. S., and 27, S.,

Were severally read the first and second times.

And,

The joint resolution relating to the election of a United states senator,

Was concurred in;

On motion of Mr. Ray,

The assembly then resolved itself into committee of the whole for the consideration of the general file of bills. Mr. Ray in the chair.

And after some time spent therein, rose and by their chairman, reported back bill

No. 2, *a.*, a bill relating to the interest of money, with a recommendation that its consideration be postponed until Thursday next.

No. 5, *a.*, a bill to charter Brockway College at Ripon.

With an amendment;

And said bill No. 7, *a.*,

Without amendment.

And also reported progress on the general file of bills and asked leave to sit again.

Leave was granted:

The report of the committee of the whole being under consideration,

The assembly concurred in the recommendation of the committee in relation to said bill No. 2, *a*;,

Pending the question on concurring in the amendment of the committee of the whole to said bill

No. 2, *a*., which was to add to said bill an additional section as follows:

Section 7, this act shall take effect from and after its passage;

Said amendment was concurred in;

And the said bill was ordered to be engrossed and read a third time;

Pending the question on ordering said bill

No. 7, *a*., to be engrossed for a third reading,

Mr. Jenkins moved that said bill be laid on the table:

Which was disagreed to.

Said bill was then ordered to be engrossed and read a third time.

Bill No. 9, *a*, was read a third time passed.

And the title agreed to.

Mr. Jenkins moved that the Assembly adjourn till Monday next at 10 o'clock;

Which was disagreed to:

Mr. Walker moved that the Assembly adjourn to 3 o'clock p. m:

Which was disagreed to.

Mr. Tompkins moved that the Aassembly adjourn;

Which was disagreed to.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative were

Messrs. Biddlecome, Bjornson, Boyce, Bradley, Cole, Gifford, Groot, Hale, Jenkins. J. B. Johnson, Moorman, Olmstead, Ray, Rogan,Seaver, Snover, Spooner, Stock, Tompkins, Utley, Van Vliet and Wilson—22.

Those who voted in the negative were

Messrs. Bannister. Barnett, Bird, Briggs, Cavney, Chase, Clothier, Cone, Dick, Estabrook, Eastman, Easton, Everly, French, Fuller, Hemmenway, Henning, Hulburt, H. Johnson Jones, Julius, Kinney, Lessey, Ladue, Lowth, Malmros, Murphy, Moore, Muzzy, Osborne, Perkins, Price, Rodolf, Smith, Tinker, Toll, Tregaskis, Vincent, Waldo; Walker, Whitton, Wing and Horn (speaker)—43:

Mr. Walker moved that the assembly adjourn to half-past two, P. M.

Which was disagreed to.

Mr. Spooner moved that the assembly adjourn to Monday next at 10 A. M.

Which was disagreed to.

Mr. Smith moved that the assembly adjourn to 3 o'clock, P. M.

Which was disagreed to.

On motion of Mr. Estabrook,

The assembly adjourned.

SATURDAY, Jan. 18th,—10 A. M.

Prayer by the Rev. Mr. Woodward.

The journal of yesterday was read and approved.

Petitions were read and severally referred as follows:

By Mr. Rodolf,

The petition of Robert C. Field and 65 others, for a renewal of an act establishing a state road through Iowa, Richland and Sauk counties.

Referred to committee on roads and bridges;

By Mr Bradley,

The petition of J. A. Johnson and 120 others, for the survey of the state lands in the town of Fort Winnebago.

Referred to committee on state lands.

By Mr. Stock,

The petition of John A. Douglass and others, for a state road from Fond du Lac to Port Washington.

Referred to committee on roads and bridges.

By Mr. Everly,

The petition of A. J. McDowell and many others of the town of Wayne, Washington county. for a memorial to Congress to establish a mail route to said town.

Referred to committee on roads and bridges.

By Mr. Biddlecome,

The petition of Sarah Dyer for a change of her name to Sarah Whiting.

Referred to committee on judiciary.

By Mr. Snover.

The petition of 143 citizens of Waukesha county for land limitation,

Referred to the select committee on that subject.

Mr. Rodolf introduced the following resolution:

Resolved, that this house grant the use of the assembly hall to the Bakers, vocalists, for this evening.

And the rules having been suspended for the purpose,

Was considered and adopted.

Mr. Chase introduced the following resolution:

Resolved that the use of the assembly hall be granted to the state historical society on the afternoon of Tuesday next.

For the consideration of which the rules were suspended.

And it was considered and adopted.

Mr. Boyce introduced the following resolution:

Resolved, that the chief clerk be instructed to tender the use of the assembly hall to the Rev. A. C. Barry for divine service to morrow forenoon,

And the said resolution, the rules having been suspended,

Was considered and adopted.

Mr. Biddlecome introduced the following resolution:

Resolved, that 500 extra copies of the list of members of the present legislature be printed for the use of the assembly.

Bills were introduced on leave granted as follows:

By Mr; Utley,

No. 21, *a.*, a bill to amend an act entitled an act providing for the sale of school section in the city of Racine.

Bp Mr. Spooner, bill

No. 22, *a.*, a bill to amend chapter 139, of

Title 33, of part 4, of the revised statutes; and bill

No. 23. *a.*, a bill to amend chapter 19, of title 7. part 1st, of the revised statutes.

By Mr. Estabrook, bill

No. 24, *a.*, a bill to amend chapter 112 of the revised statutes.

By Mr. Doran, bill

No. 25, *a.*, a bill to incorporate the Wisconsin state medical society.

Which said bills were severally read the first and second time.

Said bill No. 24, *a.*,

Was referred to committee on judiciary.

Mr. Lessey, from the committee on ways and means to whom was referred the petition on the subject, reported bill

No. 26, *a.*. a bill to legalize the highway tax for the year 1850 in the town of Wayne, in Washington county.

Which was read the first and second times.

Mr. Henning from the committee on engrossed bills, reported as correctly engrossed, bill

No. 7, *a.*, a bill to locate permanently the county seat of Lafayette county.

A message from the senate by Wm. Hull, Esq., their chief clerk.

Mr. Speaker,

I am directed to inform you that senate has passed,

J. R. No. 2, S.; Joint resolution in relation to Hon. Isaac P. Walker;

No. 30, S., a bill to appropriate money to pay the mileage of members of the legislature;

And,

No. 19, S., a bill to appropriate to Samuel W. Beall a certain sum of money.

In which concurrence of the assembly is requested.

The message from the senate was taken up,

Said bills Nos. 19, S., and 30: S., were severally read the first and second times.

The joint resolution relative to Hon. Isaac P. Walker, were read, considered and adopted.

Said bill No. 7, *a.*; was taken up, read a third time, passed, and the title thereof agreed to.

On motion of Mr. Briggs,

The assembly resolved itself into committee of the whole for ehe consideration of the general file of bills;

Mr. Ladue in the chair;

And after some time spent therein, rose, and by their chairman reported bill

No. 6, *a.*, a bill to establish Emerald Grove Academy.

No. 27, *a.*, a bill to extend the time of collecting taxes in the county of Fond du Lac;

And,

No. 2, S., memorial to the President of the United States, for the survey of the public lands north of Fox river.

Without amendment;

And also reported progress on the general file of bills, and asked leave to sit again;

Leave was granted;

Said bill No. 6, *a.*, was ordered to be engroseed and read a third time, and said

M. No. 1, S., was ordered to be read a third time.

On motion of Mr. Jenkins,

Bills Nos. 9, S., 10, S., 11, S., 12, S., 13, S., and 14, S. appropriating money to the persons therein named.

Were taken from the general file and referred to the committee on claims.

A message from the senate by Wm. Hull Esq., their chief clerk.

Mr. President;

I am directed to inform you that the senate has passed

No. 23, S., a bill to authorize the collection of delinquent tax in the county of Fond du Lac,

In which the concurrence of the assembly is requested.

Said bill No. 27, S., was ordered to be read a third time.

And,

On motion of Mr. Barnett,

The rules were suspended and the bill was read a third time, passed,

And the title agreed to.

On motion of Mr. Spooner,

No. 15, S., a bill to amend the law in relation to the action of ejectment.

Was referred to the committee on the judiciary.

Mr. Jenkins from the select committee consisting of the members of the assembly from the city and county of Milwaukee, to whom the subject was referred, reported bill

No. 15, *a.*; a bill to authorize the collection and assessment of taxes in the city of Milwaukee.

With amendments as follows:

Amend section 7, in the 5th line, by inserting after the word 'treasurer,' 'or his deputy or deputies.'

Amend sec. 12, by inserting after the word 'neglect' in the second line, the words 'or inability.'

Amend by striking out sec. 13.

The amendments to sections 7 and 12 were agreed to;

And the question being on concurring in the amendment to the bill. proposing to strike out sec. 13,

It was put,

And decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barnett, Biddlecome, Cavney, Clothier, Cone, Dick, Doran, Estabrook, Eastman, Easton, Everly, French, Hale, Hemmenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Kinney, Malmros, Moore, Moorman, Murphy, Olmstead, Osborne, Ray, Rodolf, Rogan, Seaver, Spooner, Tinker Tohl, Tompkins, Utley, VanVliet, Vincent, Waldo and Wing—39.

Those who voted in the negative were

Messrs. Bannister, Bird Bjornsen, Boyce, Chase, Cole, Fuller, Gifford, Groot, Henning, Julius, Ladue, Lessey, Lowth Murry, Price, Smith, Snover, Stock, Tregaskis, Walker, Whitton, Wilson and Horn (speaker) —24.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole, to take into consideration said bill No. 15, *a.*,

Mr. Estabrook in the chair.

And after some time spent therein rose and by their chairman reported back said bill

Without amendment.

The report of the committee of the whole being under consideration,

Said bill was then ordered to be engrossed and read a third time.

On motion of Mr. Walker,

The rules were suspended,

And the said bill was read a third time, passed,

And the title agreed to.

On motion of Mr; Jenkins,

The assembly adjourned.

MONDAY, Jan. 20, 10 A. M.

Prayer by the Rev. Mr. Lattin.

The journal of the 18th inst. was read and approved.

Mr Biddlecome presented the petition of J. J. Pettit and 4 others for amendments to the revised statutes.

Referred to committee on judiciary:

Mr. Chase presented the account of King & Fuller vs. the state.

And,

Mr. Everly the account of Ole Torgeson vs. the state;

Both of which were referred to the committee on claims.

Mr. Ladue introduced the following resolution, and moved the rules be suspended for the purpose of its present consideration.

Resolved, that the use of the assembly hall be granted to the Bakers, vocalists, for this evening;

The assembly refused to suspend the rules;

Bills were introduced on leave granted, as follows:

By Mr. Moorman, bill

No. 27, *a.*, a bill to extend the time for collecting taxes in the town of Brooklyn, Sauk Co:

By Mr. Smith, bill

No. 28, *a.*, a bill to incorporate the Milwaukee and Humbolt plank road company.

Which said bills were severally read the first and second time.

Mr. Rogan from the committee on claims, reported bill,

No. 29, *a*;, a bill to pay to F. P. Catlin the sum therein named;

Which said bill was read the first and second time;

Mr. Henning from the committee on engrossed bills, reported as correctly engrossed, bill

No. 5, *a.*, a bill to incorporate the board of trustees of Brockway college,

And,

No. 6, *a.*, a bill to establish Emerald Grove academy.

The message from the senate was taken up; and bill

No. 23, S., was read the first and second time

M. No. 1, S., a memorial to the President of the United States, for the survey of the Public Lands, north of Fox river:

Was taken up, read the third time, passed, and the title agreed to.

The following resolution was taken up, considered and adopted:

Resolved, that 500 extra copies of the list of members of the present legislature be provided for the use of the assembly;

On motion of Mr. Lowth,

The assembly then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Walker in the chair.

And after some time spent therein, the committee rose, and by their chairman reported back,

No. 4, S.; a bill authorizing the construction of wharves in the city of Milwaukee;

And,

No. 16, *a.*, a bill to change the time for holding the county court for the county of Kenosha.

Without amendment.

Also, bill

No. 30, S., a bill to appropriate money to pay the mileage of members of the legislature,

With an amendment.

And bill

No. 19, S., a bill to appropriate to Samuel W. Beall a cer-

tain sum of money, with a recommendation that it be referred to the committee on judiciary;

The report of the committee of the whole being under consideration,

On motion of Mr. Walker,

Said bill No. 4, S., was laid on the table,

Said bill No. 16, S., was ordered to be read a third time.

The amendment of the committee of the whole to said bill No. 30, S., filling the blank therein with the words, eleven hundred and eighty-two.'

Was concurred in.

And said bill No. 19, S.,

Was referred to the committee on judiciary.

On motion of Mr Kinney.

The rules were suspended, and said bill

No. 30, S., was read a third time.

And the question on the passage of said bill,

Was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton Estabrook, Everly, Fuller, Gifford, Groot, Hale, Hemmenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Price, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tinker Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Walker, Wilson, Wing and Horn [speaker] 58.

Those who voted in the negative were,

Messrs. French, Lowth, Toll, and Whitton—4.

The title to said bill was agreed to.

A message from the senate by Wm. Hull Esq., their chief clerk,

Mr. Speaker:

I am directed to inform you that senate has passed;

No. 3, S.. memorial to congress in relation to a light-house at LaPointe.

In which the concurrence of the assembly is requested;

And that senate has concurred in the passage of,

No. 8, *a.*, a bill to change the name of the town of Buena Vista in St. Croix county,

And,

No. 10, *a.*, a bill to pay Joseph Bowron the sum therein named.

Without amendment.

Mr. Estabrook moved that the assembly take a recess until 12 o'clock, M. that the sergeant at arms be directed to prepare the assembly hall for the reception of the senate, and that the chief clerk be instructed to inform the senate that the assembly would then be prepared to proceed to the election of a United States senator.

Which was agreed to.

At 12 o'clock M.

The speaker resumed the chair.

Mr. Estabrook moved that a committee be appointed to inform the senate that the assembly were prepared to proceed to the election of a United States senator,

Which was agreed to:

And the speaker appointed Messrs. Estabrook and Walker such committee.

The said committee having performed their duty,

The honorable senate appeared in the assembly hall, attended by their officers.

The Hon. Samuel W. Beall president of the senate, took the chair, and announced the two houses assembled in joint convention.

In joint convention of the two houses.

Mr. Huebschmann moved a call of the convention, which was had.

And Messrs. Moore of the senate and Perkins of the assembly were reported absent.

Further proceedings under the call were dispensed with.

Mr. Huebschmann moved that the convention proceed viva voce to elect a U. S. Senator, to fill the vacancy occasioned by the expiration of the term of office of the Hon. Henry Dodge.

Which was agreed to.

And the roll of the senate having been called;

Those senators who voted for Henry Dodge were,

Messrs, Bugh, Conkey, Dean, Eastman, Gale, Giddings, Huebschmann, Hyer, Palmer, Reed, Rittenhouse, Rountree P. H. Turner, H. G. Turner and Wright—15.

Senator Bennett voted for James Duane Doty—1.

Senator Sterling voted for John B. Terry—1.

And the roll of the assembly having been called,

Those who voted for Henry Dodge were.

Messrs. Bannister, Biddlecome, Bird, Bjornson, Boyce, Bradley, Briggs, Cavney, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hemmenway, Henning. Hulburt, Jenkins, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy. Olmstead, Osborne, Price, Rodolf, Rogan, Seaver, Smith. Snover, Stock, Toll, Tregaskis, Walker. Whitton. Wilson, Wing and Horn (speaker), 53.

Those who voted for James Duane Doty were

Messrs. Barnett, Hale, Spooner, Tinker, Utley and Van Vliet—6.

Those who voted for Rufus King were

Messrs. Chase and Vincent—2.

Those who voted for Alexander L. Collins were.

Messrs. H. Johnson, Tompkins, and Waldo—3

Mr. Ray voted for Warren Chase—1.

Mr. Perkins, who was reported absent, at the call of the convention, appeared and requested leave to record his vote,

Leave was granted.

Whereupon Mr. Perkins voted for Henry Dodge—1.

RECAPITULATION.

Whole number of votes cast—83.
Of which Henry Dodge received 69.
James Duane Doty received—7.
Alexander L. Collins received—3
Rufus, King received—2.
Warren Chase received—1,
John B. Terry received—1.

Whereupon the President declared.

That Henry Dodge having received a majority of all the votes cast in the convention, was duly elected United States senator for the state of Wisconsin, for the term of six years from and after the 4th day of March next.

On motion of Mr. Gale,

The convention dissolved, and the senate retired.

The speaker resumed the chair.

And announced the result of the election by the convention.

On motion of Mr. Tompkins,

Mr. Lowth had leave of absence granted him for one week.

On motion of Mr. J. B. Johnson,

Mr. Rogan had leave of absence for 3 days.

Mr. Jenkins introduced the following resolution:

Resolved, that the use of the assembly hall be granted to the oriental evanic order of 1001, for this evening,

And moved that the rules be suspended for the present consideration of said resolution.

The rules were suspended,

And the question on the adoption of the resolution,

Was put,

And decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bannister, Biddlecome, Bird, Bradley, Briggs, Cavney, Chase, Cole, Doran, Eastman, Eastman, Easton, Estabrook, Everly, Fuller, Gifford, Groot, Henning, Jenkins, J.B.

Johnson, Jones, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Olmstead, Osborne, Price, Rodolf, Rogan, Smith, Snover, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson and Horn [speaker]—42.

Those who voted in the negative were

Messrs. Barnett, Bjornson, Boyce, Clothier, Cone, Dick, French, Hale, Hemmenway, Hulburt, H. Johnson, Julius, Muzzy, Perkins, Ray, Seaver, Spooner, Stock, Tinker Toll, Tompkins, Tregaskis, Vincent and Wing—24.

On motion of Mr. Tregaskis,

The assembly adjourned.

TUESDAY, Jan. 21, 10 o'clock, A. M.

Prayer by the Rev. Mr. Etchmann.

The journal of yesterday was read and approved.

The Speaker laid before the Assembly a communication from the Postmaster of the Madison Post Office, stating certain regulations in the law concerning the transmission of mail matters, as follows:

All sealed packages to be charged with letter postage, and the envelopes of Newspapers and pamphlets to be left open at one end.

Also,

A communication from a committee of citizens of Cincinnati, relating to the improvement of the navigation of the Ohio river, by the construction of an additional canal around the

Falls at Louisville, accompanied by a memorial to Congress on the same subject;

Which said communication and memorial were referred to the committee on internal improvements.

Petitions and memorials were severally presented and referred as follows:

By Mr. Wing,

The petition of Abram Vanderpool and 52 others, for a change in the system of county government,

Referred to committee on town and county organization.

By Mr. Eastman,

The memorial of James Reed of Winnebago county.

Referred to judiciary committee.

By Mr. Waldo,

The memorial of Charles Aiken and 200 others, citizens of Marquette county, for the removal of the county seat of Sauk county.

Referred to committee on town and county organization.

By Mr. Barnett,

The petition of the board of supervisors of the town of Alto, Fond du Lac county, for the passage of an act to legalize the official act of said town.

Referred to a select committee of three.

By Mr. Rodolf,

The petition of Nathaniel Wheeler and 143 others; for a state road from Madison to Richland county, Wisconsin.

Referred to committee on roads and bridges.

Also,

The petition of A. Williams and 50 others citizens of Sauk county, for division and annexation to Richland county.

Referred to committee on town and county organization.

Also,

The petition of 80 citizens of Richland county, for the annexation of a part of Sauk county.

Referred to same committee;

By Mr. Wing,

The petition of Abram Vanderpool and 58 others of the county of Jefferson, for a law authorizing the board of supervisors in each county, to determine the number of petit jurors to be summoned to attend the sessions of the circuit courts therein;

Referred to committee on judiciary.

Mr. Bradley presented a remonstrance of Dairus Busbee and 82 others, against any action by the legislature in relation to the county seat of Columbia county.

Which was referred to committee on town and county organization.

Also

A remonstrance of Hugh McFarlane and 503 others, against any action by the legislature in relation to a certain charter granted Wm. Armstrong by the last legislature.

Which said remonstrance was referred to the committee on judiciary.

Mr. Tompkins presented resolutions of the board of supervisors of Rock county, recommending the passage of an act requiring the payment of witness fees, on behalf of the state, &c.

Which resolutions were referred to the judiciary committee.

Mr. Henning introduced on leave granted,

A memorial to congress for the establishment of a mail route from Prescott to Falls of St. Croix,

Which was read the first and second times.

And referred to committee on internal inprovements.

A message from the senate by Wm. Hull, Esq., their chief clerk.

Mr. Speaker;

I am directed to inform you that senate has passed.

No. 26, S., a bill to authorize the board of supervisors of the town of Mineral Point to levy a special tax for the support of the poor of said town.

In which the concurrence of the assembly is requested.

And that senate has concurred in the amendment of the assembly to

No. 30, S., a bill to appropriate money to pay the mileage of members of the legislature.

I am further directed to inform you that senate has passed,

No. 15, *a.*, a bill to authorize the assessment and collection of taxes in the city of Milwaukee.

With an amendment;

In which concurrence of the assembly is requested.

Mr. Tompkins introduced the following resolution:

Resolved, that the assembly hall be granted Mr. Axteil, the principal of the institution for the blind, on Wednesday evening.

And the rules having been suspended for the consideration of said resolution.

It was considered and adopted.

Mr. Smith introduced the following resolution;

Resolved, that the use of this assembly hall be granted to the Baker family this evening, and after their concert, to his excellency, Governor Booth, the 'peoples governor' for the purpose of delivering his message to the sovereigns.

For the consideration of which said resolution the rules were suspended, and

It was considered and adopted.

Mr. Chase, from the committee on claims, to whom the same had been referred, reported back to the assembly, bills

No. 9, S., a bill to appropriate to L. T. Rice, the sum therein named.

No. 10, S., a bill to appropriate to Romanzo B. Rice, the sum therein named.

No. 11, S., a bill to appropriate to James L. Enos the sum therein named.

No. 12, S., a bill to appropriate to Hatch and Patterson the sum therein named.

No. 13, S., a bill to appropriate to T. H. Brown the sum therein named.

No. 14, S., a Bill to appropriate to J.and W.H.Carey the sum therein named.

Without amendment and recommend their passage.

Also

No.30,*a*.,a bill to pay to Mr.John F.Lessey the sum therein named.

Without amendment and with a like recommendation.

Mr. Bannister from the committee on enrollments reported as correctly enrolled

No. 7, S.. a bill to extend the time for collecting taxes in Fond du Lac county.

No. 30, S., a bill to appropriate money to pay the mileage of members of the legislature.

Joint resolutions in relation to Hon. Isaac P. Walker,

No. 8, *a*., a bill to change the name of the town of Buena Vista, in St. Croix county.

And,

No. 10, *a*., a bill to pay Joseph Bowron the sum therein named.

The said bills and resolutions were severally signed by the speaker and thereupon

Were transmitted for signature to the president of the senate.

Mr. Walker from the committee on internal improvements; to whom the subject was referred reported bill

No. 31, *a*., a bill to declare Little river a navigable stream.

Which was read the first and second time.

Mr. Bird gave notice of his intention to introduce a resolution for the amendment of assembly rule No. 38,

The message from the senate was then taken up,

Said memorial No. 3, S., and bill No, 26, S., were severally read the first and second times.

On motion of Mr, Rodolf,

The rules were suspended in relation to said bill No. 26, S.,

And it was read a third time, passed, and the title agreed to.

The amendment of the senate to bill No. 15, *a.*; a bill to authorize the assessment and collection of taxes in the city of Milwaukee, the said amendment striking out the words 'in the Wisconsin Argus' and inserting in lieu thereof, 'by the public printer, in a paper published at Madison,'

Was concurred in.

Bill No. 5, S., a bill to incorporate the board of trustees of Brockway College;

No. 6, *a.*, a bill to establish Emerald Grove academy and

No. 16, S., a bill to change the time of holding the county court for the county of Kenosha.

Were severally read the third time, passed, and the title thereof agreed to.

Said bill No. 9, S., was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Briggs, Cavney, Chase, Cole, Cone, Dick, Doran, Eastman, Easton Estabrook Everly, French Fuller, Gifford, Groot Hale, Hemmenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Moore, Murphy, Muzzy, Olmstead, Price, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Vincent, Waldo, Walker, Whitton, Wilson, and Wing—52,

None voted in the negative.

The title was agreed to.

Said bill No. 10, S.,

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Biddlecome, Bird. Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick

Doran, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hale, Hemmenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Moore, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Vincent, Waldo, Walker, Whitton, Wilson, and Wing—54.

None voted in the negative.

Said bill No. 10, S., was read a third time.

And the question on its passage,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs, Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hale, Hemmenway, Hulburt, Henning, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Moore, Murphy, Muzzy, Olmstead, Osborne, Perkins, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Vincent, Waldo, Walker, Whitton, Wilson and Wing—53.

None voted in the negative.

Said bill No. 12, S.,

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Everly, French. Fuller, Gifford, Groot, Hale, Henning, Hemmenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Moore, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Vincent, Waldo, Walker, Whitton, Wilson, and Wing—54.

None voted in the negative.

The title was agreed to.

Said bill No. 13, S.,

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were.

Messrs, Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hale, Henning, Hemmingway, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Moore, Murphy Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Vincent, Waldo, Walker, Whitton, Wilson and Wing—54.

None voted in the negative.

The title was agreed to.

Said bill No. 14. S.,

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hale, Hemmenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Moore Murphy, Muzzy, Osborne, Perkins, Price, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tompkins, Vincent, Waldo, Walker, Whitton, Wilson and Wing,

None voted in the negative.

The title was agreed to.

A message from the senate by Wm. Hull Esq., their chief clerk.

Mr. Speaker,

I am directed to inform you that senate has concurred in the passage of

No. 9, *a.*, a bill to change the name of the town of Elizabeth, in St. Croix county.

Without amendment.

And has passed.

J. R. No. 3, S.; joint resolutions in relation to a grant of land, to the university of Wisconsin.

And,

No. 25, S., a bill to amend section 11 of an act to provide for the improvement, of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8th, 1848.

In which the concurrence of the assembly is requested.

A message in writing from the governor, by G. P. Delaplaine, Esq., his private secretary.

EXECUTIVE DEPARTMENT,
Madison, Jan. 21st, 1851.

To the senate and assembly,

The annual report of the board of public works, exhibiting the state of improvement of the Fox and Wisconsin rivers, and the transactions of the board during the preceeding year, is herewith transmitted for the information, of the legislature.

The board request that their acts may be submitted to the scrutiny of a committee of the legislature.

The importance of this branch of the public service, is so apparent, that it will not fail to elicit a scrutinizing investigation at the hands of the representatives of the people.

NELSON DEWEY.

The said message and the accompanying report were referred to the committee on internal improvements.

On motion of Mr. Chase,

Ordered that 500 copies of said report be printed for the use of the assembly;

Mr. Tompkins introduced the following joint resolution:

Resolved, by the assembly, (the senate concurring) that the senate and assembly will meet in joint convention in the as-

sembly chamber, on Wednesday the 5th day of Feb. next, at 12 o'clock, M. for the purpose of electing three commissioners of the board of public works, a register of the state land office, and a treasurer of the board of public works.

Mr. Tompkins moved to suspend rules for the present consideration of said resolution.

Which was not agreed to.

On motion of Mr. Tompkins,

The assembly then resolved itself into committee of the whole for the consideration of bill

No. 23, S., to authorize the collection of delinquent tax in the county of Fond du Lac.

Mr. Bird in the chair.

And after some time spent therein, the committee rose, and by their chairman reported back said bill,

With amendments.

The question being on concurring in the amendments made in committee of the whole.

On motion of Mr. Barnett,

Said bill and the pending amendments were referred to a select committee of three.

Messes. Barnett, Muzzy and Ray were appointed such committee.

On motion of Mr. Henning, the rules were suspended for the purpose and,

Memorial No, 3, was taken up and read the first and second times.

And the rules having been suspended for the purpose,

Said bill was read a third time, passed, and the title thereof agreed to;

On motion of Mr. Wilson,

Mr. Jenkins had leave of absence for four days.

And Mr. Utley for one week.

Mr, Clothier introduced the following joint resolutions;

Resolved, by the assembly, (the senate concurring,) that the county clerks of the several counties in this state be requested

to report to the speaker of this assembly, immediately, the amount of all fines imposed in criminal prosecutions since the organization of state government, also, the amount of fines collected and paid over.

Resolved, that the chief clerk of the assembly is hereby required to transmit to the several county clerks of this state, a copy of the foregoing resolution.

Mr. J. B. Johnson on leave granted; introduced bill

No. 32, *a.*, a bill to amend sec. 56, chapter 16, of title 6, part 1, of the revised statutes;

Which was read the first and second time.

On motion of Mr. Smith,

The rules were suspended in relation to

Joint resolutions No. 3, S., in relation to a grant of land to the university of Wisconsin.

And the said resolutions were read the first and second time.

And the rules having been suspended for the purpose,

Said resolutions were read a third time.

And the question being on their passage,

Mr. Estabrook moved that they be laid on the table.

Which was agreed to.

On motion of Mr. Price,

The assembly adjourned.

WEDNESDAY, Jan. 22d, 10, A. M.

Prayer by the Rev. Mr. Lattin.

The journal of yesterday was read and approved.

Messrs Doran and Tregaskis had leave of absence.

Petitions were presented and severally referred, as follows:

By Mr. Estabrook,

The petition of E. Wakely, C. M. Baker, C. P. Barns and others, for the repeal of the law organizing the county court.

Referred to committee on judiciary.

Also,

The petition of H. A. Stone and others, for a tax on dogs,

Referred to committee on agriculture and commerce.

By Mr. Bjornson,

The petition of E. House and 103 others, for the submission of the question of 'Banks or no Banks' to the people.

Referred to committee on incorporations.

By Mr. H. Johnson,

The petition of 13 ladies and 22 gentlemen, inhabitants of Wisconsin, for the enactment of a law suppressing the sale of intoxicating drinks as a beverage.

Referred to committee on charitable and religious institutions.

By Mr. Clothier,

The petition of Owen Gibbs and 52 others, in relation to pre-emption rights to University lands.

Referred to committee on University and University lands.

By Mr. Tinker,

The petition of O. K. Havens and 55 others, inhabitants of the unorganized part of Marquette county and Winnebago county, for the passage of a law organizing a new county, to be called Menominee.

Also,

The petition of G. W. Taggart and 35 others, residents in township 21 N. of range 12 E., for the passage of a law organizing such township into a town to be called Lind.

Also,

The petition of G. W. Taggart and 99 others, inhabitants of the unorganized part of Marquette and Winnebago counties, for a law organizing a new county, to be called Menomi-

nee, and recommending the town of Lind as a suitable place for the county seat.

All of which said petitions were

Referred to committee on town and county organization.

The following accounts vs. the State were presented and severally referred to committee on claims:

By Mr. Wilson,

The account of James P. Whitney.

By Mr. Lessey,

The account of J. T. Lessey.

By Mr. Bird,

The account of James C. Campbell.

By Mr. Boyce,

The account of Billings Harman.

Mr. Bird, agreeably to notice, introduced the following resolution:

Resolved, That the 38th rule be amended by adding to the 2d section, 'and ex-members of the Territorial Legislature and the Constitutional Conventions.'

Which said resolution, the rules having first been suspended,

Was considered adn adopted.

Bills and memorials were introduced on leave granted, as follows;

By Mr. Chase, bill

No. 33, *a.*, a bill to appropriate a sum of money to the persons therein named.

By Mr. Briggs, bill

No. 34, *a.*, a bill to repeal sections 33 and 34, of chapter 131, of part 3, title 29 of the revised statutes.

By Mr. Biddlecome, bill

No. 35, *a*;, a bill to provide for the more speedy collection and payment of fines, forfeitures and penalties remaining in the hands of justices of the peace.

By Mr. Moorman, bill

No. 36, *a.*, a bill to amend an act entitled an act to author-

ize Eliphalet S. Miner and Henry Clinton to improve the navigation of the Grand Rapids in the Wisconsin river, approved Jan. 29th, 1847.

By Mr. Jones, bill

No. 37, *a.*, a bill to repeal chapter 86, title 27, of the revised statutes.

By Mr. Spooner, bill

No. 38, *a.*, a bill relating to the assessment and taxation of personal and real property.

By Mr. Estabrook, bill

No. 39, *a.*, a bill to change the name of Sarah Dyer to Sarah Whiting.

By Mr. Lessey, bill

No. 40, *a.*, a bill to set apart and incorporate the county of Oconto.

By Mr, Price, bill

No. 41, *a* , a bill to appropriate to Ira B. Brunson the sum therein named.

Also

No. 42, *a.*, a bill to divide Crawford county, and organize the counties of Bad axe and La Crosse.

By Mr. Cone, bill

No. 43, *a.*, a bill to establish the pay of sergeant at arms and others in their employ.

By Mr. Bird, bill

No. 44, *a.*. a bill to provide for the labor of prisoners.

By Mr. Malmros,

M. No. 1, *a.*, a memorial asking congress for an appropriation to open a road from Twin rivers to the Door;

By Mr. Price,.

M. No. 2, *a.*, asking a donation of land for the improvement of the mouth of Black river;

Which said bills and memorials were severally read the first and second times;

A message from the senate by Wm. Hull, Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate has passed;

No. 22, S., a bill to provide for the punishment of murder in the first degree, and to abolish punishment by death.

In which I am directed to ask the concurrence of the assembly.

Mr. Briggs moved that all rules be suspended and that said M. No. 1, *a.*, be taken up and considered now;

Which was agreed to.

And the said memorial was read a third time, passed and the title thereof agreed to.

Bill No. 30, *a.*, a bill to pay to John F. Lessey the sum therein named, was taken up and read the 0rst and second times;

Mr. Barnett from the select committee to whom was referred bill

No. 23, S., for the collection of delinquent tax in the county of Fond du Lac.

With an amendment by an additional section, to wit: Sec, 6, this act shall take effect from and after its passage.

Mr. Bannister from the committee on enrolled bills, reported as correctly enrolled,

M. No. 1, S., a memorial to the President of the United States, for the survey of the public lands north of Fox river,

Said memorial having been signed by the speaker was transmitted to the senate.

The joint resolution introduced by Mr. Tompkins on yesterday fixing the 5th of February next as a day for a joint convention of the 2 houses to elect 3 commissioners of the board of public works, a register of the state land office; and a treasurer of the board of public works,

Was taken up.

And the question being on its adoption,

Mr. Biddlecome moved to amend the same by striking out all after the word 'resolved' and inserting as follows:

'That no action be taken on the election of any officer of the board of public works until the reports of the commissioners and of the joint special committee shall have been printed and put in the hands of the members of the legislature.

And the question being on the adoption of the said amendment,

Mr, Spooner moved that the resolution and pending amendment be laid upon the table.

Which was agreed to:

The following joint resolutions were taken up, considered, and adopted.

Resolved, by the assembly,(the senate concurring) that the county clerks of the several counties in this state, be requested to report to the speaker of this assembly immediately, the amount of fines imposed in criminal prosecutions since the organization of state government, also the amount of fines collected and paid over.

Resolved that the chief clerk of the assembly is hereby required to transmit to the several county clerks of this state, a copy of the foregoing resolution;

On motion of Mr. Briggs,

The assembly then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Briggs in the chair.

And after some time spent therein the committee rose, and by their chairman reported back

No. 16, *a.*, a bill to repeal section 3, chapter 88, title 22, part 3, of the revised statutes, and to amend section 9 of the same.

With a recommendation that it be referred to the judiciary committee.

No. 17, *a.*, a bill to amend chapter 12, of title 4, of the revised statutes.

With a recommendation that it be referred to the committee on town and county organization.

No. 19, *a.*, a bill to legalize the acts of the town clerk and

town treasurer of the town of Manchester in Calumet county, and to extend the time of collecting taxes in said town.

Without amendment.

And said bill

No. 23, S., as reported and amended by the select committee to whom the same had been referred,

Without amendment.

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bill No. 16, *a.*.

Was referred to the judiciary committee.

And,

Said bill No. 17, *a.*,

To the committee on town and county organization.

The amendment to said bill No. 23, S.,

Was concurred in.

And the said bill was ordered to be read a third time.

Mr. Rodolf gave notice for leave to introduce a bill to have the lands of non-residents, on which the taxes are not paid, sold by a process of courts so as to receive on the same, sheriff's deeds.

Mr. Chase moved that all rules be suspended for the purpose, and that said bill,

No. 33, *a*,, be taken up and read a third time now.

Which was agreed to.

And the said bill was read a third time,

And the question on its passage,

Was decided in the affirmative,

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Cone, Dick, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemmenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey,

Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tinker, Toll, Tompkins, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker) 59.

Mr. Clothier voted in the negative.

The title was agreed to.

Mr. Barnett moved that all rules be suspended, and that said bill No. 23, S., be read a third time now.

Which was agreed to.

And said bill was read a third time passed, and the title agreed to.

On motion of Mr. Tohl,

The assembly adjourned.

THURSDAY, January 23, 10 o'clock, A.M.

Prayer by the Rev. Mr. Etchmann.

The journal of yesterday was read and approved.

The speaker announced joint committee on the part of the assembly, under the joint resolution for an investigation of the condition and management of the Wisconsin and Fox river improvement, as follows:

Messrs. Tompkins, Eastman, Lessey, Barnett and Hale.

Petitions and remonstrances were severally presented and referred, as follows:

By Mr. Eastman,

The petition of Chester Ford and 155 others, for the pass-

age of a law requiring peddlers, hawkers and auctioneers to obtain license in the several counties.

Referred to committee on judiciary.

By Mr. Estabrook,

The petition of Thomas Reynolds, for remuneration on a certain contract for the construction of the Portage canal at Fort Winnebago.

Referred to the following select committee, to wit:

Messrs. Estabrook, Bradley, and Murphy.

By Mr. Wilson,

The petition of Frederick Prusser and 140 others, citizens of the 1st ward of the city of Milwaukee, for a law to submit the banking question to the people.

Referred to committee on incorporations;

By Mr. Bird,

The petition of Harry Barnes and others, for the repeal of the present interest law;

Referred to committee on judiciary.

By Mr. Ladue,

The petition of Hiram H. Mead and many others, for an amendment of section 1, of chapter 201, of the session laws of 1850, also to amend sec. 6 of the same.

Referred to a select committee, to consist of the members from Sheboygan county.

By Mr. Murphy,

The remonstrance of James Preston and 88 others, against the alteration of the charter of the Sheboygan and Mayville plank road aompany.

Also,

The remonstrance of J. C. Shaddock and others, against the amendment of chapter 201, section 6, of the session laws of 1850.

Which said petition and remonstrance were referred to a select committee, to consist of the members from Sheboygan county;

By Mr. Rodolf,

The remonstrance of John Matthews and 106 other citizens of Richland county, against the annexation of any portion of Sauk county to their county;

Referred to committee on town and county organization.

By Mr. Bird,

The petition of Jona Lawrence and other citizens of Dane county, for a tax upon dogs.

Referred to committee on agriculture and commerce;

Mr. Spooner inrtoduced the following resolution:

Resolved that the judiciary committee be instructed to inquire into the expediency of abolishing the inquest by grand jury, in all matters whatever, and that they report by bill or otherwise.

Mr. Groot introduced the following resolution;

Resolved, that the committee on university and university lands, be, and they are hereby directed to report a bill repealing an act to establish the minimum price of university lands, approved Feb. 9th, 1850, and to report instead thereof, a bill securing to the settlers on said lands at the time of appraisal, a pre-emption right to purchase an amount of said lands, so pre-empted, not exceeding 40 acres, at the appraised value, and to secure to all persons having purchased of said lands, under the act above referred to, the benefits herein contemplated by the repeal of said law;

Bills were introduced, on leave granted, as follows;

By Mr, Biddlecome; bill

No, 45, *a.*, a bill to provide for making returns of the elections in towns to the clerk of the board of supervisors of the county.

By Mr. Waldo, bill

No. 46, *a.*, a bill to provide for the location of the county seat of Marquette county.

By Mr. Henning, bill

No. 47, *a.*, a bill to change the course and width of Second street in the village of Whitewater;

By Mr. J. B. Johnson, bill

No. 48, *a.*, a bill to extend the time for collecting the taxes in the town of Hazel Green, Grant county.

By Mr. Tohl, bill

No. 49, *a.*, a bill to appropriate to Alonzo Higley the sum therein named.

Which said bills were severally read the first and second time.

On motion of Mr. Chase,

Said bill No. 49, *a.*, was referred to committee on claims.

Mr. Chase from the committee on claims, to whom was referred the account of H. Van Dusen, vs. the state, reported as follows;

That there is no evidence in said account that the prisoners therein were state charges. They therefore report the same back and recommend no action.

The report was accepted and the committee discharged.

The same committee by Mr. Chase, reported bill

No. 50, *a.*, a bill to appropriate to King and Fuller the sum therein named.

Which was read the first and second times.

A message from the senate by Wm. Hull, Esq., their chief clerk.

Mr. Speaker;

I am directed to inform you that senate has passed.

No. 5, S., memorial to congress asking for an appropriation to build a light house at Bailey's harbor,

In which the concurrence of the assembly is requested.

And have concurred in the passage of

No. 5, *a.*, a bill relating to the village of Madison;

And,

No. 33, *a.*, a bill to appropriate a certain sum of money to the persons therein named.

Without amendment.

And have adopted the following resolution;

Resolved, by the assembly, (the senate concurring,) that a joint committee of five be appointed, three from the line of

the Fox river and Wisconsin improvements, and two from other sections of the state, to act in conjunction with a similar committee from the senate, for the same purpose, to investigate the condition and management of said improvements.

And that Messrs. Conkey, Wright, Moore, Palmer and Giddings have been appointed a committee on the part of the senate under said resolution, and have also adopted the following resolutions:

Resolved, by the assembly the senate concurring, that the county clerks of the several counties in this state be requested to report to the speaker of this assemby immediately, the amount of fines imposed in criminal prosecutions since the organization of state government, also the amount of fines collected and paid over;

Resolved, that the chief clerk of the assembly is hereby required to transmit to the several county clerks of this state, a copy of the foregoing resolution.

With an amendment.

And have concurred in the passage of

No. 5, *a.*, a bill to incorporate the board of trustees of Brockway college.

With an amendment;

In which amendments the concurrence of the assembly is requested;

And that senate has passed;

No. 9, S., a bill to amend section 9, chap. 131 of the revised statutes.

And,

No. 31, S., a bill in relation to the publication of legal notices.

In which I am also requested to ask the concurrence of the assembly,

Mr. Henning from the committee on engrossed bills, reported as correctly engrossed, bill

No. 19, *a.*; a bill to legalize the acts of the town clerk and

town treasurer of the town of Manchester, in Calumet county, and to extend the time of collecting taxes in said town.

Mr. Rodolf had leave to withdraw the account of H. Van Dusen;

Mr. Whitton from the select committee, to whom was referred that part of the governor's message relating to the block of marble to be contributed by the state to the Washington Monument, reported bill

No. 51, *a.*, a bill to amend an act to provide a block of marble or granite to be placed in the national monument at the city of Washington.

Which said bill was read the first and second time.

On motion of Mr. Whitton,

All rules were suspended for the purpose, and said bill was read a third time.

And the question being on the passage thereof,

Mr. Biddlecome moved that it be recommitted to the same committee.

Which was agreed to.

Mr. Tohl from the committee on roads and bridges, reported bill.

No. 52, *a.*,a bill to incorporate the Packwaukie bridge company.

Which said bill was read the first and second times.

Mr. Chase from the committee on claims to whom was referred said bill

No. 49; *a.*, reported back the said bill with an amendment, as follows:

Striking out '$75 00' and inserting '$38 40.'

On motion of Mr. Spooner,

All rules were suspended for the purpose, and said bill and amendment were taken up and considered.

And the question being on concurring in the amendment reported by the committeee,

Mr. Smith moved to amend the amendment by striking out '$38 40,' and inserting '51 00.'

Which was not agreed to.

The amendment reported by the committee was then concurred in.

And the said bill, the rules having first been suspended,

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemmenway, Henning. Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Malmros, Moore, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing and Horn, speaker,—58.

None voted in the negative.

The title to said bill was agreed to.

Mr. Bannister from the committee on enrolled bills, reported as follows.

That said committee did, on the 22nd inst., present to the governor for his approval,

An act to appropriate money to pay the mileage of members of the legislature,

An act to change the name of the town of Buena Vista, in St. Croix county.

An act to pay to Joseph Bowron the sum therein named;

An act to extend the time for collecting and making return of the taxes levied in the county of Fond du Lac, for the year 1850.

Joint resolutions in relation to the Hon. Isaac P. Walker.

Memorial to his excellency, the President of the United States, in relation to a light house at La Point.

And also reported as correctly enrolled,

No. 5, *a.*, a bill to change the name of the town of Elizabeth, in St. Croix county.

No. 9, S., a bill to appropriate to L. T. Rice the sum therein named.

No. 10, S., a bill to appropriate to Romanzo B. Rice the sum therein named.

No. 11, S., a bill to appropriate to James P. Greves the sum therein named.

No. 12, S., a bill to appropriate to Hatch and Patterson the sum therein named.

No. 13, S., a bill to appropriate to J. H. Brown the sum therein named.

No. 14, S., a bill to appropriate to J. and W. H. Carey the sum therein named.

No. 16, S., a bill to change the time of holding the county court for the county of Kenosha.

No. 23, S., a bill authorizing the collection of delinquent tax in the county of Fond du Lac.

And,

No. 26, S., a bill to authorize the board of supervisors of the town of Mineral Point to levy a special tax for the support of the poor of said town.

Mr. J. B. Johnson moved that all rules be suspended for the purpose, and that said bill

No. 48, *a.*, be read a third time now.

Which was agreed to.

Said bill was read a third time, passed, and the title thereof agreed to;

Mr. Utley, on leave granted, introduced bill

No. 53, *a.*, a bill to amend an act entitled an act to incorporate the Racine and Rock river plank road company, approved March 6, 1848,

Which said bills were read the first and second time, and,

On motion of Mr. Utley,

Referred to committee on incorporations;

The message from the senate was taken up, and

No. 7, S., a bill to amend section 9, chap. 131, of the revised statutes.

No. 22, S., a bill to provide for the punishment of murder in the first degree, and to abolish punishment by death.

No. 25, S., a bill to amend section 11 of an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August, 8th, 1848.

No. 31, S., a bill in relation to the publication of legal notices,

And,

M. No 5, S,, a memorial to congress asking for an appropriation to build a light house at Bailey's harbor:

Were severally read the first and second time.

The amendments of the senate to the joint resolutions of the assembly, relating to the amount of fines imposed in criminal prosecutions since the organization of our state government, and the amount of such fines since then collected and paid over, the said amendment being to strike out the words 'county clerks,' and insert the words 'clerks of circuit courts' wherever they occur in said resolutions.

Was concurred in;

And also the amendments of senate to

No. 5, *a.*, a bill to incorporate the board of trustees of Brockway college.

Said bill No. 19, *a.*, was read a third time, passed, and the title thereof agreed to.

On motion of Mr. Smith,

The assembly then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Wilson in the chair.

And after some time spent therein, rose, and by their chairman reported back

No. 12, *a.*, a bill to amend an act entitled an act to provide for the appraisal and sale of school land, and for granting preemption rights thereon, approved Feb. 9, 1850.

With a recommendation that it be referred to the committee on state lands;

And also reported progress on the general file,

And asked leave to sit again;

Leave was granted;

The recommendation of the committee of the whole in reference to said bill

No. 12, *a.*,

Was concurred in.

A message from the senate by Wm. Hull Esq., their chief clerk,

Mr. Speakre.

I am directed to inform you that senate has passed

No, 34, S;, a bill to grant to the United States an acre of school section in the city of Racine.

In which the concurrence of the assembly is requested;

Bill No, 2, *a.*, a bill relating to interest of money, the order of the day.

Was then taken up.

Mr. Spooner moved to strike out all after the enacting clause, and offered a substitute by way of amendment;

And the question being on the adoption of the amendment,

On motion of Mr. Spooner,

Said bill and amendment were laid on the table, and the said amendment was ordered to be printed.

Mr, Estabrook moved the assembly adjourn,

Which was not agreed to.

On motion of Mr, Tompkins,

The assembly adjourned till 2 o'cock, P. M.

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2 O'clock, P. M.

Mr. Moorman, from the committee on privileges and elections, to whom the matter of the contested seat of the Hon. Wm. H. Dick, the member of assembly returned from Calu-

met county, was referred, reported in favor of the claim of Mr. Dick to his seat in the assembly.

Mr. Olmstead from the minority of said committee, reported in favor of the claim of Mr. D. E. Wood, the contestant.

On motion of Mr. Vincent,

The committee were discoarged from the further consideration of the subject, and said reports were ordered to be printed.

Wr. Walker moved to take up the message of the senate,

Which was agreed to.

No. 34, S., a bill to grant to the United States an acre of the school section in the city of Racine,

Was read the first and second times.

On motion of Mr. Walker,

The rules were suspended for the purpose, and said bill was read a third time.

Pending the question on its passage,

On motion of Mr. Estabrook,

It was referred to committee on judiciary.

Mr. Chase, on leave granted, introduced bill

No. 54, *a.*, a bill to remit the interest on canal bonds and mortgages therein mentioned.

Which said bills were read the first and second times.

On motion of Mr. Chase,

Said bill was referred to a select committee,

The speaker appointed Messrs. Chase, Walker and Estabrook such committee.

On motion of Mr. Wilson,

The assembly adjourned.

FRIDAY, Jan. 24th, 10, A. M.

Prayer by the Rev. Mr. Lattin.

Reading of journal of yesterday dispensed with.

Petitions were presented and severally referred as follows:

By Mr. Utley,

The petition of the Racine county guards, for a law exempting them from a poll tax.

Referred to committee on militia.

By Mr. Murphy,

The petition of Oliver C. Luthen and others, for the repeal of the act of 1850, establishing the minimum price of the university lands.

Referred to committee on university and university lands.

Messrs. Seaver, Gifford, Bradley, Tohl, Hemmenway and Vincent had leave of absence;

Mr. Chase offered the following resolution;

Resolved, that 500 copies of an abstract of the population of the state of Wisconsin, by counties, towns and wards, compiled from the United States census of the 1st of June, 1850 be printed for the use of the assembly.

And moved that the rules be suspended, and that said resolution be considered now.

Which was agreed to:

And the qustion being on the adoption of said resolution,

Mr. Eastman moved to amend the same, by striking out 500, and inserting 1000;

Which was disagreed to.

Said resolution was then adopted.

Mr. Bird gave notice for leave to introduce a bill to incorporate the Madison mutual insurance company.

Bills were introduced on leave granted, as follows.

By Mr; Utley, Bill

No. 55, *a.*, a bill to amend an act entitled an act to incorporate the city of Racine in the county of Racine.

By Mr. Moorman, bill

No. 56, *a.*, a bill for the assessment and collection of taxes in the town and county of Marathon.

By Mr. Waldo, bill

No. 57, *a.*, a bill to authorize Josiah H, Dartt to build and maintain a bridge across Fox river.

Which said bills were severally read the first and second time.

On motion of Mr. Utley,

Said bill No. 55, *a.*,was referred to a select committe, consisting of the members from Racine city and county.

Mr. Estabrook from the judiciary committee, reported bill

No, 58,*a.*, a bill to amend section 9, chapter 131, of title 29, of part 3 of the revised statutes,

Which said bill was read the first and second time.

And also from same committee adversely to the memorial of James Reed of Winnebago county.

And also reported back bill,

No. 11, *a.*, a bill to amend section 25, of chapter 10,of the revised statutes, with amendments,

And,

No. 34, S., a bill to grant to the United States an acre of the school section in the city of Racine, with the following amendments;

Strike out all of section 1 to the word 'to' inclusive, where it occurs the seecond time in the second line and insert as follows:

In shall be the duty of the commissioners of the school and university lands, to convey to the United States of America, in the same manner that other school and university lands are by them conveyed, and add another section as follows;

Sec. 2. The commissioners shall provide in said conveyance that said premises shall be used for the purposes of a light

house, and the necessary fixtures and improvements for its preservation and maintenance, and that when the United States shall cease to use said premises for the purposes herein specified, the same shall revert to the state of Wisconsin for the use of schools.

The report of said committee with regard to the petition of James Reed, was adopted, and the committee discharged from the further consideration of the subject;

Mr. Price from the committee on state lands, to whom was referred,

No. 12, *a.*, a bill to amend an act entitled an act to provide for the appraisal and sale of school lands, and for granting pre-emption rights thereon, approved Feb. 9, 1850.

Reported back the said bill, with the following amendment:

Amend sec. 2, by the following continuation;

'And provided further, that any person owning 160 acres of land shall not be entitled to the right of pre-emption under the provisions of this act.'

Mr. Easton from the committee on education and school lands, to whom was referred.

No. 21, *a.*, a bill to amend an act entitled an act providing for the sale of the school section in the city of Racine,

Rerorted the same back without amendment.

Mr. Rodolf from the committee on town and county organization; to whom were referred petitions of citizens of Sauk and Richland counties, for the annexation of part of Sauk to Richland county, as also remonstrances on the same subject,

Reported as the recommendation of said committe, that no action be taken upon the subject.

Which report was adopted.

Mr. Bannister from the committee on enrolled bills, reported as correctly enrolled, bills

No. 3, *a.*, a bill relating to the village of Madison.

No. 15, *a.*, a bill to authorize the assessment and collection of taxes in the city of Milwaukee,

And,

No, 33, *a.*, a bill to appropriate a certain sum of money to the persons therein named.

Which said enrolled bills were severally signed by the speaker and thereupon were transmitted ta the senate.

The enrolled bills signed by the speaker yesterday, were also transmitted to the senate.

Mr. Chase gave notice of his intention to offer an amendment to rule 47, of the assembly.

The following resolution was then taken up, considered and adopted,

Resolved, that the judiciary committee be instructed to inquire into the expediency of abolishing the inquest by grand jury in all matters whatever, and that they report by bill or otherwise.

The following resolution was taken up and considered.

Resolved, that the committee on university, and university lands, be, and they are hereby directed to report a bill repealing an act to establish the minimum price of university lands, approved Feb. 9, 1850, and to report instead thereof, a bill securing to the settlers on said lands at the time of appraisal, a pre-emption right to purchase an amount of said lands, so pre-empted, not exceeding forty acres, at the appraised value and to secure to all persons having purchased of said lands, under the act above referred to, the benefits herein contemplated by the repeal of said law.

And the question being on the adoption thereof,

Mr. Spooner moved that the resolution be referred to the committee on university and university lands, with instructions to inquire into the expediency of such a law, as in said resolution proposed.

Which was not agreed to.

On motion of Mr. Biddlecome,

The assembly then resolved itself into committee of the whole, for the consideration of the said bill

No. 31, S., as amended by the committee to whom the same was referred.

Mr. Walker in the chair.

And after some time spent therein, rose, and by their chairman reported back said bill, and amendments.

Without further amendment.

The said amendments were then concurred in, and said bill was ordered to be read a third time.

Mr. Briggs moved that it be read a third time now,

Which was agreed to.

And said bill was read a third time, passed and the title thereof agreed to.

On motion of Mr. Estabrook,

Joint resolutions No. 3, S., joint resolutions in relation to a grant of land to the university of Wisconsin,

Were taken up,

And said resolutions were read a third, passed, and their titles agreed to.

On motion of Mr. Walker,

The assembly then resolved itself into committee of the whole, for the consideration of said bill

No. 12, *a.*, and the amendment thereto reported by the committee to whom the same had been referred.

Mr. Estabrook in the chair.

And after some time spent therein, rose, and by their chairman reported back said bill and amendment.

With a further amendment.

The report of the committee of the whole being under consideration,

The amendments of the committee to said bill,

No. 12, *a.*, were concurred in.

And the ayes and noes having been called for and ordered.

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Bird, Bjornson, Boyce, Cavney Clothier, Cone, Dick, Eastman, Estabrook, Everly, French Groot, Hale, Henning, J. B. Johnson, Jones, Julius, Kinney

Lessey, Moorman, Murphy, Muzzy, Perkins, Tompkins, Van Vliet, Walker, Whitton, Wilson, Wing and Horn (speaker)—37.

Those who voted in the negative were

Messrs. Biddlecome, Briggs, Chase, Cole; Easton, Fuller, H. Johnson, Ladue, Malmros, Moore, Olmstead, Rodolf, Smith, Spooner and Waldo.

A message from the senate by Wm. Hull, Esq., their chief clerk.

Mr. Speaker;

I am directed to inform you that senate has concurred in the passage of

No. 1; *a.*, memorial to congress asking for an appropriation to open a road from Twin rivers to the Door,

No. 6, *a.*, a bill to establish Emerald Grove academy,

And,

No. 49, *a.*, a bill to appropriate to Alonzo Higley the sum therein named.

Without amendment.

And has passed,

No. 1, S., joint resolutions relative to the equalization of representatives and taxes among the several states of the Union, and for the enforcement of the provisions of the constitution of the United States thereon;

In which the concurrence of the assembly is requested.

Mr. Spooner moved that the assembly adjourn,

Which was disagreed to.

Mr. Clothier moved that the assembly adjourn till 3 o'clock P. M.

Which was disagreed to.

Mr. Cone moved that the assembly adjourn till 2 o'clock, P. M.

Which was disagreed to.

The question pending being on ordering said bill

No. 12, *a.*, to be engrossed and read a third time,

Was then put,

And decided in the affirmative.

A message from the senate by Wm. Hull Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate has concurred in the passage of

No. 48, *a.*, a bill to extend the time for collecting the taxes in the town of Hazel Green, Grant county.

Without amendment.

And in the passage of,

No. 19, *a.*, a bill to legalize the acts of the town clerk and town treasurer of the town of Manchester in Calumet county, and to extend the time of collecting taxes in said town.

With an amendment to the title thereof.

In which the concurrence of the assembly is requested.

And that senate has concurred in the amendments of assembly to,

No. 34, S., a bill to grant to the United States an acre of the school section in the city of Racine.

Mr. Chase moved that the assembly adjourn till 2 o'clock P. M.

Which was disagreed to.

Mr. Van Vliet moved that the assembly adjourn.

Which was disagreed to.

Mr. Whitton from the committee to whom was refered,

No. 51, *a.*, a bill to amend an act to provide for a block of marble or granite, to be placed in the national monument at the city of Washington.

Reported back said bill,

With amendments.

On motion of Mr. Tompkins,

The assembly adjourned until 3 oclock, P. M.

3 o'clock, P.M.

The speaker laid before the assembly the following communication from the governor:

Executive Department,
Madison, Jan. 24th, 1851.

To the assembly,

An act entitled an act to change the name of the town of Buena Vista, in St. Croix county.

And,

An act entitled an act to pay to Joseph Bowron the sum therein named.

Was on the 22nd inst., approved and signed by me, and deposited in the office of the secretary of state.

NELSON DEWEY.

Mr. Jenkins introduced the following resolution.

Resolved, That the Committee on printing be and are hereby requested to make immediate inquiry into the cause of delay, by the State Printer, in furnishing to the Assembly the documents, &c., ordered printed, and to report them to-morrow, suggesting such remedy as to them may seem practicable,

Which said resolution, the rules first having been suspended,

Was considered and adopted.

Mr. Henning from the committee on engrossments, reported said bill

No. 12, *a.*, correctly engrossed:

Mr. Estabrook introduced the following resolution:

Resolved, that the committee to whom was referred the petition of Thomas Reynolds, for remuneration in a certain contract for the construction of the Portage canal at Fort Winnebago, be empowered to send for persons and papers.

And the rules having first been suspended, said resolution

Was considered and adopted.

On motion of Mr. Cole,

The assembly then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Walker in the chair.

And after some time spent therein rose, and by their chairman reported the following bills and memorial,

Without amendment;

No. 7, S., a bill to amend section 9, chapter 131 of the revised statutes.

No. 25, S., a bill to amend sec. 11, of an act to provide for the improvement of the Fox and Wisconsin rivers;

No. 31, S., a bill in relation to the publication of legal notices:

No. 21, S., a bill to amend an act entitled an act to provide for the sale of the school section in the city of Racine;

And,

M. No. 5, S., a memorial to congress. to build a light house at Bailey's harbor.

And also reported progress on the general file of bills.

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bill No. 31, S., and mem. No, 5, S., were severally ordered to be read a third time.

On motion of Mr. Spooner,

Said bill No. 25, S:, was referred to committee on internal improvements.

Said bill No. 21, *a.*, was ordered to be engrossed and read a third time.

Said bill No. 7, S., was laid aside under the 23rd rule of the assembly;

On motion of Mr. J. B. Johnson,

Mr. Hulburt had leave of absence until the 27 th inst.

Mr. Bannister from the committee on enrollments reported

that they did this day present to the governor for his approval,

An act to appropriate to Hatch and Patterson the sum therein named.

An act to appropriate to J. H Brown the sum therein named.

An act to appropriate to L. T. Rice the sum therein named.

An act to appropriate to J. and W. H. Carey the sum therein named.

An act to appropriate to Romanzo B. Rice the sum therein named.

An act to change the time of holding the county court of the county of Kenosha.

An act to authorize the town board of supervisors of the town of Mineral Point to lay a special tax for the support of the poor of said town;

An act to appropriate to James P. Greves, the sum therein named.

An act authorizing the collection of delinquent taxes in the county of Fond du Lac.

Memorial to congress in relation to a light house at La Point.

An act to change the name of the town of Elizabeth, in St. Croix county.

An act to authorize the assessment and collection of taxes in the city of Milwaukee;

An act to appropriate a certain sum of money to persons therein named.

An act relating to the village of Madison.

And also as correctly enrolled, bill

No. 5, S., a bill to incorporate Brockway College.

Said bill No. 5, *a.*, was signed by the speaker.

On motion of Mr. Jenkins,

The assembly adjourned.

SATURDAY, Jan. 25th,—10 A. M

Prayer by the Rev. Mr. Etchmann.

Reading of journal of yesterday dispensed with.

Petitions were presented and severally referred as follows:

By Mr. Bird,

The petition of A. Wilcox and others, for the vacation of territorial or state road across section 34, town 8 range 11, on Sun prairie,

Also,

The petition of T. B. Miles and others, for the laying out of a state road from Verona Dane connty, to Wiota in Lafayette county.

Both of which were referred to committee on roads and bridges.

By Mr. Tompkins,

The petition of J. P. Wheeler and 150 others, citizens of Rock county, for a law to restrict the rate of interest of money.

Which was read.

By Mr. Malmros,

The petition of the citizens of Manitouwoc, for a village charter.

Referred to committee on incorporations.

By Mr. Moore.

The petition of B. F. Pidge and others, inhabitants of the village of Port Washington, for the passage of an act affirming the grant of the board of trustees of said village, to J. and G. Tomlinson, of the right to construct a mill-race in and across canal street in said village.

Referred to committee on roads and bridges,

By Mr. Waldo,

The petition of Julius Austin and 50 others, citizens of Marquette county, for a state road.

Referred to committee on roads and bridges;

By Mr. Jenkins,

The petition of Lyman Chapin, for payment of canal bonds also the petition of Joel Rathbone, for payment of canal bonds.

Both petitions referred to committee on claims.

Mr. Snover presented the account of A. F. Pratt, vs. the state.

Referred to a select committee, Messrs. Snover, Wilson and Stock.

Mr. Eastman, the account of A. G. Lull and Ira Gates, and Mr. Wilson, the account of Fratney and Herzberg, vs. the state.

Both of which were referred to committee on claims.

Bills were introduced on leave granted, as follows:

By Mr. Jenkins, bill

No. 59, *a.*, a bill making an appropriation for the payment of canal bond No. 54, and bill

No. 60, *a.*, a bill making an appropriation for the payment of canal bonds No. 55, and 56.

By Mr. Rodolf, bill

No. 61, *a.*, a bill granting to Robert G. Haste and Evred H. Ervin a right to keep and maintain a ferry across the Wisconsin river.

No. 62, *a.*, a bill to incorporate the Madison mutual insurance company.

Which said bills were severally read the first and second times.

On motion of Mr. Jenkins, said bills No. 59 and 60 *a.*, were referred to committee on claims,

On motion of Mr. Bird, said bill

No. 62, *a.*, was referred to committee on incorporations, and,

On motion of Mr. Rodolf, said bill

No. 61, *a.*, to the committee on internal improvements.

Mr. Henning from the committee on engrossed bills, reported as correctly engrossed, bill

No. 21, *a.*, A bill to amend an act entitled "an act to provide for the sale of the school section in the city of Racine."

Mr. Chase introduced, agreeably to notice, the following resolution:

Resolved, That the assembly adopt an additional rule, as follows:

Rule 47. All bills not reported by standing or select committees shall, on their second reading, and before being printed, be referred to some appropriate standing committee or to a select committee.

And the rules having first been suspended, said resolution was considered and adopted.

Mr. Estabrook from the judiciary committee, reported bill

No, 63, *a.*, a bill to amend chap. 82, of revised statutes;

Which was read the first and second time.

Also from same committee, bill

No. 3, S., a bill providing for the election of a chief justice and,

No. 19, S., a bill to appropriate to Samuel W. Beall a certain sum of money.

With amendments to each of said bills:

Mr. Walker from the committee on internal improvements, to whom was referred the communication of Henry Emerson and other citizens of Cincinnati, in reference to the Portland canal in the state of Kentucky, reported memorial

No. 3, *a.*, a memorial to congress in relation to the improvement of the Portland canal in the state of Kentucky.

Also, from same committee reported memorial

No. 4, *a.*, a memorial to the congress of the United States, for a mail route from Prescott to the Falls of St. Croix,

Which said memorials were severally read the first and second time.

Mr. Estabrook from the judiciary committee, to whom was referred the petition of Moses Pakett and others, for the repeal

of a ferry charter at Fort Winnebago, and for the grant of another, reported adversely to the prayer of said petition, and asked to be discharged from the further consideration thereof.

And asked that the committee be discharged from the further consideration of the subject,

The committee was so discharged.

Mr. Ladue. from select committee consisting of the members from Sheboygan county, to whom the petitions on the subject were referred, reported bill

No. 64, *a.*, a bill to amend the act incorporating the Sheboygan and Mayville plank road company.

Which was read the first and second time;

The message from the senate was then taken up,

The amendment of the senate to the title of bill,

No. 19, *a.*,

Was concurred in.

No. 1, S., joint resolutions relative to the equalization of representatives and taxes among the several states of the Union, and for the enforcement of the provisions of the constitution of the United States thereon;

Was read the first and second time.

No. 12, *a.*, a bill to amend an act entitled an act to provide for the appraisal and sale of school lands, and for granting pre-emption rights thereon, approved Feb. 9, 1850,

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Biddlecome, Bjornson, Cavney, Chase, Clothier, Cone, Dick, Estabrook, Eastman, Easton, Everly, French, Groot, Hale, Henning, Jenkins, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Malmros, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Ray,

Snover, Stock, Tinker, Tompkins, Utley, Van Vliet, Walker, Whitton, Wilson, Wing and Horn, speaker,—43.

Those who voted in the negative were

Messrs, Bird, Briggs, Cole, Fuller, H Johnson, Moore, Osborne, Rodolf, Smith, Spooner, and Waldo—11,

The title to said bill was agreed to.

M. No. 5, S., a memorial to congress, asking for an appropriation to build a light house at Bailey's harbor.

No. 31, S., a bill in relation to the publication of legal notices,

And,

Said bill No. 21, *a.*,

Were severally read the third time, passed, and the title thereof agreed to.

On motion of Mr; Rodolf

The assembly then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Jenkins in the chair.

And after some time spent therein, rose, and by their chairman reported back bills

No. 27, *a.*, a bill to extend the time for collecting taxes in the town of Brooklyn, Sauk county.

No. 29, *a.*, a bill to pay to F, P. Catlin the sum therein named.

No. 31, *a.*, a bill to declare the Little river a navigable stream.

No, 39, *a.*, a bill to change the name of Sarah Dyer to Sarah Whiting.

No, 41, *a.*, a bill to appropriate to Ira B. Brunson the sum therein named;

No, 51, *a.*, a bill to amend an act to provide a block of marble or granite, to be placed in the national monument, at the city of Washington,

And,

No. 26, *a.*, a bill to legalize the highway tax for the year 1850, in the town of Wayne. in Washington county.

Without amendment.

And also reported progress on the general file,

And asked leave to sit again;

Leave was granted;

The report of the committee of the whole being under consideration,

Said bills Nos. 26, 27, 29, 39, and 51, *a.*,

Were severally ordered to be engrossed and road a third time.

On motion of Mr. Spooner,

Said bill No. 31, *a.*, was referred to committee on judrciary.

On motion of Mr. Price,

Said bill No. 41, *a*,, was referred to committee on claims,:

Mr. Spooner moved that all rules be suspended for the purpose, and that

Said bill No. 27, *a*,,

Be read a third time now.

Which was agreed to:

And said bill was read a third time, passed, and the title thereo fagreed to;

Mr. Everly moved that all rules be suspended, and that,

Said bill No. 26, *a.*,

Be read a third time now;

Which was agreed to.

Said bill was read a third time.

And the question on its passage,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Bird, Bjornson, Cavney, Cole, Cone, Dick, Eastman, Easton, Everly, Fuller, Groot, Hale, Henning, J. B. Johnson. Jones, Julius, Kinney, Ladue, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Price, Rodolf, Smith, Snover, Stock, Tompkins, Utley, Waldo, Wilson and Horn speaker,—36.

Those who voted in the negative were

Messrs. Biddlecome, Briggs, Chase, Clothier, Estabrook, French, Jenkins, H. Johnson, Olmstead, Osborne, Ray, Spooner, Tinker, Van Vliet and Wing—15.

The title of said bill was agreed to.

Mr. J. B. Johnson on leave, introduced bill

No. 65, *a.*, a bill to authorize Murich Murphy and his associates to build a dam across the Oconto river.

Which was read the first and second times.

And referred to committee on internal improvements.

Mr. Eastman on leave, introduced

No. 66, *a.*, a bill to appropriate to Albert G. Lull a certain sum of money.

And,

No. 67, *a.*, a bill to appropriate to Ira Gates the sum therein named.

Which said bills were read the first and second times.

And referred to committee on claims,

Mr. Ladue from the committee on printing, who were instructed to inquire into the causes of delay in legislative printing, submitted the following report:

The printing committee to whom was referred the duty of inquring into the progress of document printing, report

That the governor's message is printed, and nearly stitched, and will be presented to the house Monday next.

That the report of the board of regents is also printed and in the bindery; will be presented early next week.

The report of the secretary of state will also be ready for delivery on Tuesday or Wednesday next.

The report of the board of public works is in tho hands of compositors and will be delivered on the 29th inst.

The report of the superintendent of public instructions is laid aside for the present, and will not be printed before the first of February.

Mr. Chase from committee on claims, reported bill

No. 68. *a.*, a bill to appropriate to Fratney and Herzberg the sum of fifty dollars,

Which was read a first and second time.

Mr. Chase then moved that all rules be suspended, and that said bill be read a third time now.

Which was not agreed to.

Mr. Murphy from select committee, of members from Sheboygan county, reported bill

No. 69, *a.*, a bill to change the name of the town of Olio, in Shebopgan county,

Which was read the first and second time.

On motion of Mr. Bannister,

The assembly adjourned.

MONDAY, Jan. 27, 10 A. M.

Prayer by the Rev. Mr. Lord.

The reading of the journal of the 25th inst. was dispensed with.

Petitions were presented and severally referred as follows:

By Mr. Briggs,

The petition of John Dodge and near 400 others, for a division of Grant county.

By Mr. J. B. Johnson,

The petition I. J. Russell and 775 others.

Also,

The petition of 80 citizens of the town of Smelser,

Also,

The petition of Chas. McCoy and 272 others, for a division of said county.

Mr. Briggs moved that said petitions be referred to a select committee, to consist of the members from Grant county.

Which was disagreed to.

Mr. Biddlecome moved that said petitions be referred to a select committee, to consist of two of the members from said county, and three from other parts of the state:

Which was agreed to.

And the speaker thereupon appointed,

Messrs. Briggs, Biddlecome, Lessey, Kinney and Tompkins such committee.

By Mr. Lowth,

The petition of Lucas S. Van Orden and others, asking the submission of the question of 'banks or no banks' to the people, at the present session of the legislature,

Referred to committee on incorporations.

Also,

The petition of Godfrey Cotton and 32 others, for the repeal of the present law regulating the sale of ardent spirits;

Also,

The remonstrance of H. C. George and 85 others, against the repeal of said law;

Both of which were referred to committee on charitable and religious institutions.

By Mr. Lessey,

A petition for a law to prohibit the killing of deer in certain months of the year.

Referred to committee on privileges and elections;

By Mr. Waldo,

The memorial of Christian Mead, M. W. Stevens and others, for the passage of an act authorizing the people to vote upon the question of 'banks or no banks.'

Referred to committee on incorporations,

By Mr. Eastman,

The petition of E. L. Brobston and 40 others, for the submission of the bank question.

Referred to committee on incorporations.

Also

The petition of W. P. McAllister and others, for a state road from Winneconna to Liberty prairie,

Referred to committee on roads and bridges.

Mr. Bird presented the claim of James Campbell;

And Mr. Rodolf, the claim of H. Van Dusen, vs. the state.

Which said claims were severally referred to committee on claims.

Mr. Everly introduced the following resolution:

Resolved, by the assembly (the senate concurring) that a committee of three be appointed from each branch of the legislature, whose duty it shall be to inquire and report whether any person in the employ of this legislature is chargeable with having in his correspondence with newspapers, attacked the private character, and indulged in personalities against members of either body; and if so, what action may be necessary thereon.

And the rules having first been suspended for the purpose, of considering said resolution,

It was considered and adopted.

Mr. Waldo on leave granted introduced,

No. 70, *a.*, a bill to extend the time for the collection of taxes in the town of Green Lake, Marquette county,

Which was read the first and second time.

The rules were suspended,

And said bill was read a third time passed, and the title thereof agreed to.

Bills were further introduced on leave granted, severally read the first and second time,

And referred as follows:

By Mr. Clothier, bill

No. 71, *a.*, a bill authorizing the sale of the unsold odd

numbered sections of the Milwaukee and Rock river canal grant, for the use of schools.

Referred to committee on education and school lands.

By Mr. Moore, bill

No. 72, *a.*, a bill to authorize the construction of a dam across the Milwaukee river.

Referred to committee on internal improvements.

By Mr, Kinney, bill

No. 73, *a.*, a bill to authorize Alvin B. Carpenter to build a dam across Sugar river.

Referred to committee on internal improvements,

By Mr. Spooner, bill

No. 74, *a.*, a bill in relation to insurance on lives, and for the benefit of married women and other persons.

Referred to committee on judicirry.

By Mr. Biddlecome; bill

No. 75, *a.* a bill to regulate the distribution of the income of the school fund.

Referred to committee on education and school lands, with instructions to report immediately, also bill

No. 76, *a.*, a bill to amend chapter 88 of the revised statutes.

Referred to committee on judiciary.

By Mr. Fuller, bill

No. 77, *a.*, a bill to incorporate the Nemahbin and Pine Lake plank road company.

Referred to committee on internal improvements.

Mr. Malmros, agreeably to previous notice, introduced bill

No. 78, *a.*, a bill to incorporate the village of Manitouwoc,

Which was read the first and second time.

And referred to committee on incorporations.

A message from the senate by Wm. Hull Esq., their chief clerk,

Mr. Speaker.

I am directed to inform you that senate has passed

No. 29, S., a bill to incorporate the Green Bay, Milwaukee and Chicago rail road company;

No. 35, S., a bill to incorporate the fire department of the city of Milwaukee,

And,

No. 36, S., a bill to provide for laying out a certain road therein described.

In which the concurrence of the assembly is requested, and that Messrs. Wright and Hyer have been appointed on the part of the senate, a committee on public printing, under the provisions of the 3rd section, of chapter 21, of revised statutes,

And that senate has also passed,

No. 28, S., a bill to authorize Richard H. McGoun to construct and maintain a dam across the Pekatonica river, in Lafayette county.

No. 39, S., a bill to change the name of the town of Farmersville, Dane county.

No. 40, S., a bill to appropriate to the legal representatives of Jackson Richardson, deceased, a certain sum of money.

And,

No. 41, S., a bill to appropriate to Emory Healy, a certain sum of money.

In which the concurrence of the assembly is requested;

Mr. Henning from the committee on engrossed bills, reported as correctly engrossed, the following bills:

No. 29, *a.*, a bill to pay to F. P. Catlin the sum therein named named.

No. 39, *a.*, a bill to change the name of Sarah Dyer to Sarah Whiting;

And,

No. 51, *a.*, a bill to amend an act to provide a block of marcle or granite to be placed in the national monument, at the city of Washington.

The message from the senate was then taken up, and said bills

No. 28, 29, 35, 36, 39, 40 and 41, S.,

Were severally read the first and second time.

On motion of Mr. Bird,

Said bills No. 40, and 41, S.,

Were referred to committee on claims.

The bills reported by committee on engrossed bills,

Were then taken up.

Said bill No. 29, *a.*,

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Briggs, Cavney, Chase, Cole, Cone, Dick, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Henning, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Ladue, Lessey, Lowth, Malmros, Moore, Mooman, Murphy, Muzzy, Olmstead, Osborne, Price, Ray, Rodolf, Snover, Spooner, Stock, Tinker, Toll, Tompkins, Utley, Van Vliet, Waldo, Whitton, Wilson and Horn (speaker)—50.

Mr. Clothier voted in the negative—1.

The title was agreed to.

Said bills No. 39, and 51, *a.*,

Were severally read a third time, passed, and the titles agreed to.

No. 7, S., a bill to amend sec. 9, chap. 131 of the revised statutes.

Was ordered to be read a third time,

On motion of Mr. Jenkins,

The assembly then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Biddlecome in the chair.

And after some time spent therein, rose, and by their chairman reported back,

No. 13, *a*,, a bill for the apportionment of school monies for the year 1851.

No. 22, *a.*, a bill to amend chapter 139, of title 33, of part 14 of the revised statutes.

No. 25, *a.*, a bill to incorporate the Wisconsin state Medical society.

No. 34, *a.*, a bill to repeal sec, 33, and 34, of chapter 131, of part 3, of title 29, of the revised statutes.

No. 37, *a.*, a bill to repeal chapter 86, title 22 of the revised statutes.

No. 40, *a.*, a bill to set apart and incorporate the county of Oconto.

No. 22, S., a bill to provide for the punishment of murder in ihe 0rst degree, and to abolish punishment by death.

And;

J. R, No. 1, S., relative to the equalization of representatives and taxes among the several states of the Union, and for the enforcement of the provisions of the constitution of the United States thereon;

Without amendment.

And also reported

No. 23, *a.*, a bill to amend chapter --, title 7, part 1 of the revised statutes.

No. 3, S., a bill providing for the election of a chief justice;

And,

No. 19, S., a bill to appropriate to Samuel W. Beall a certain sum of money.

With amendments.

The report of the committee of the whole being under consideration,

No. 22, and 40, *a.*, were severally ordered to be engrossed and read a third time.

Said bills No. 34, and 37, *a.*, were severally referred to the judiciary committee,

Said bill No, 25, *a*,, was referred to the committee on medical societies;

On motion of Mr. Walker,

Said J. R. No. 1, S., were laid on the table;

On motion of Mr. H. Johnson,

The consideration of said bill.

No. 22, S., was postponed until the 10th of February next, and it was made the special order for that day.

The question being on the amendments of the committee of the whole to said bill,

No. 23, *a.*,

On motion of Mr. Spooner,

Said bill with the pending amendment, was referred to the committee on education and school lands.

The amendments reported by the committee of the whole to

Bills No. 3, and 19, S.,

Were concurred in.

And the said bills were severally ordered to be read a third time.

The question being on ordering said bill,

No. 13, *a.*, to be engrossed and read a third time,

Mr, Clothier moved to amend the bill by striking out the word 'between' in the first section, and insert 'on,' and by striking out all between the word 'April' and the word 'two,' in the same section:

Which was disagreed to.

Mr. Chase moved to adjourn till half past 2 o'clock, P. M.

Which was disagreed to.

And the question recurring on ordering said bill to be engrossed and read a third time.

Mr. Murphy moved to amend the bill by striking out the word 'April' in the second line of the 1st section, and inserting 'May' also by striking out the word 'May' in the same line, and inserting 'June' and also by striking out the word 'April', in the 4th line of sectio . 3, and inserting 'May.'

Which was disagreed to.

The question on ordering said bill to be engrossed and read a third time,

Was then put,

And decided in the affirmative.

Mr. Tompkins moved that the assembly adjourn nntil 3 o'clock, P. M.

Which was disagreed to,

On motion of Mr. Wilson,

The assembly adjourned.

TUESDAY, Jan. 28, 10 o'clock, A. M.

Prayer by Rev. Mr. Woodward.

Pending the reading of the journal of yesterday,

Mr. Boyce moved that the further reading thereof be dispensed with.

Which was disagreed to.

The journal having been read and corrected,

Petitions and remonstrances were presented and severally referred as follows:

By Mr. Moore,

The petition of A. Welsh and 90 others, citizens of Iron Ridge, Dodge county, for the location of the state prison at that place.

Referred to committee on state prison.

By Mr. Bradley,

The remonstrance of 787 citizens of Columbia county, against the legislature taking any action in relation to the county seat of said county.

Referred to committee on town and county organization.

Also,

The petition of James M. Miller and 400 others, for an act of the legislature to enable them to vote for the village of Dekora, for the county seat of Columbia,

Referred to same committee.

Also,

The petition of R. F. Veder and 130 others, for a charter for Solomon Sack and others, to build and maintain a bridge and dam across the Wisconsin river in the town of Fort Winnebago.

Referred to committee on internal improvements.

By Mr. Boyce,

The petition of Edward Boyle and 79 others, for a state road from Madison, in Dane county, to Matson's Ferry, in Columbia county.

Referred to committee on roads and bridges.

By Mr. Eastman,

The petition of H. J. Elliott and others, for a grant to build a bridge across Fox river at Delhi, in Winnebago county.

Referred to committee on roads and bridges.

By Mr. Bannister;

The petition of Samuel A. Martin and others, citizens of Rock county, for the enactment of a law restricting the rate of interest for the use of money, not to exceed 6 per cent, per annum.

Referred to committee on judiciary.

By Mr. H. Johnson,

The petition of Justin Abbott and 33 others, for a law granting certain privileges to certain persons therein named;

Referred to committee on state lands.

By Mr. Utley,

The petition of Wm. K. May and 40 others, for the submission of the bank question to the people.

Referred to committee on incorporations;

By Mr. Bradley,

The petition of Wm; Armstrong and others, for a charter Hugh McFarlane and associates to build and maintain a

bridge and dam across the Wisconsin river, in the town of Fort Winnebago.

Referred to committee on internal improvements.

Also,

The petition of Franklin W. Cady and several others, for a state road from Token Creek in Dane county, to Fort Winnebago in Columbia county.

Referred to committee on roads and bridges.

By Mr. Waldo,

The petition of G. A. Slocum and 140 others, citizens of Marquette county for the removal of the county seat of said county.

Referred to committee on town and county organization.

By Mr. Moorman.

The remonstrance of Charles Shuter and 103 others, against the erection of a dam across the Wisconsin river at Fort Winnebago.

Referred to committee on internal improvements.

By Mr. Olmstead,

The petition of Willis Spencer and 34 others, for the incorporation of an academy in the village of Avon, in La Fayette county.

Referred to committee on education and school lands.

By Mr. Perkins,

The petition of the stockholders of the Wisconsin bridge company, for the amendment of the charter of said company.

Referred to committee on roads and bridges.

By Mr. Bird,

The petition of Robert McComb and 60 others, citizens of Dane county, for an act to divide the school money between districts No. 1, 2, 3, and 4, according to a vote of said districts.

Referred to committee on education and school lands.

By Mr. Seaver,

The petition of B. F. Cummings and 17 others, citizens of

Rock county, for a law restricting the rate of interest for the use of money, not to exceed 12 per cent per annum.

Also,

The petition of John Fisher and 26 others, citizens of said county.

Also,

The petition of A. B. Vaughan and 34 others, citizens of said county, with a like prayer,

All of which said petitions were referred to the committee on judiciary.

Also,

The petition of F. J. Lewis, and 48 others;

Of John Curtis and 20 others.

Of A. B. Vaughan and 36 others,

Of C. W. Seaver and 25 others,

Of Wm. N. Bean and 13 others,

For the submission of the bank question to the people.

All of which were referred to the committee on incorporations,

Mr. Chase presented the account of the publisher of the Sheboygan Niewsbode.

Also,

Of Alexander Mitchell vs. the state,

Referred to committee on claims.

Bills were introduced on leave granted, severally read the first and second time, and referred as follows;

By Mr. Chase, bill

No, 79, *a.*, a bill relative to the release of one or more joint debtors,

Referred to committee on judiciary,

By Mr. Lessey, bill

No. 80, *a.*, a bill to amend an act entitled an act to incorporate the Winnebago Lake and Fox river road company,

Referred to committee on roads and bridges.

By Mr. Hale, bill

No. 81, *a.*, a bill relating to the jurisdiction of justices, of the peace.

Referred to committee on judiciary,

By Mr. Bird, bill

No, 82, *a.*, a bill to extend the time for collecting taxes in the town of Pleasant Spring, in Dane county.

Referred to committee on judiciary.

By Mr. Ladue, bill

No. 83, *a.*, a bill to amend an act authorizing the laying out of a state road from Sheboygan to Madison.

Referred to committee on roads and bridges.

By Mr. Rodolf, bill

No. 84, *a.*, a bill providing that lands sold for taxes and not redeemed in time, as specified by law, shall be sold by a decree of county or circuit courts.

Referred to committee on judiciary,

Mr. Moorman on leave, introduced memorial

No. 5, *a.*, memorial to the president of the United States, in relation to settlers on pine lands,

Which was read the first and second times.

Mr. Moorman from the committee on privileges and elections, to whom a petition on the subject had been referred, reported bill

No. 85, *a.*, a bill to prevent the killing of deer in certain months of the year.

Which was read the first and second times.

Mr. Lowth from the committee on education and school lands, reported bills

No. 86, *a.*, a bill to legalize the organization and acts of school district No. 2, in the town of Newark, in Rock county.

And,

No. 87, *a.*, a bill to legalize the organization and acts of school district No. 4, in the town of Plymouth, Rock county.

Which were severally read the first and second times.

Also from same committee, reported back bill

No. 75, *a*,, a bill to regulate the distribution of the income of the school fund.

Without amendment.

Mr. Rogan from the committee on claims, to whom the same had been referred, reported back bills

No. 40, S., a bill to appropriate to the legal representatives of Jackson Richardson, deceased, a certain sum of money.

With an amendment.

And,

No. 41, S., a bill to appropriate to Emory Healy a certain sum of money.

Without amendment;

Mr. Bannister from the committee on enrolled bills, reported as correctly enrolled,

No. 31, S., a bill in relation to the publication of legal notices.

No. 34, S., a bill to grant to the United States an acre of the school section in the city of Racine.

M. No. 1, *a*., a memorial to congress asking for an appropriation to open a road from Twin rivers to the Door.

No. 6, *a*,, a bill to establish the Emerald Grove academy.

No, 48. *a*., a bill to extend the time for collecting taxes in the town of Hazel Green, Grant county.

No. 49, *a*., a bill to appropriate to Alonzo Higley the sum therein named.

J. R. No. 3, S., joint resolutions in relation to a grant of of land to the university of Wisconsin,

And,

No. 5, S., a memorial to congress asking for an appropriation to build a light house at Bailey's harbar.

Which said bills,memorials, and joint resolutions were signed by the speaker of the assembly.

And were thereupon transmitted to the senate.

Mr. Wilson from the select committee to whom was referred that part of the Governor's message relating to land limitation submitted a report.

Ordered, that the usual number of said report be printed for the use of the assembly.

Mr. Chase from the select committee to whom the same had been referred, reported back bill

No. 54, *a.*, a bill to remit the interest on canal bonds and mortgages therein mentioned.

With an amendment.

Mr Spooner from the select committee to whom was referred the account of A. F. Pratt vs, the state, reported bill

No. 88, *a.*, a bill to appropriate to Alexander F. Pratt the sum therein named.

Which was read the first and second times.

And,

On motion of Mr. Boyce,

Referred to the committee on claims,

Mr. Utley from the committee to whom the same was referred, reported back bill

No. 55, *a.*, a bill to amend an act entitled an act to incorporate the city of Racine in the county of Racine,

Without amendment.

Mr. Rogan from the committee on claims, to whom the same were referred, reported back bills

No. 59, *a.*, a bill making an appropriation for the payment of canal bond No. 54.

And,

No. 60, *a.*, a bill making an appropriation for the payment of canal bonds No. 55, and 56,

With an amendment to each of said bills.

And also from the same committee to whom was referred the account of H. Van Dusen, reported,

No. 89, *a.*, a bill to appropriate to H. Van Dusen the sum therein named.

Which was read the first and second time.

The following bills were then read a third time, passed, and the title thereof agreed to.

No, 3, S., a bill providing for the election of a chief justice.

And,

No. 7, S., a bill to amend section 9, chapter 131 of the revised statutes.

No. 19, S., a bill to appropriate to Samuel W. Beall a certain sum of money.

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Briggs, Boyce, Bradley, Carney, Chase, Clothier, Cole, Cone, Dick, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemmenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Ladue, Lessey, Lowth, Malmros, Moore, Mooman, Murphy, Muzzy, Olmstead, Osborne, Price, Perkins, Ray, Rodolf, Snover, Seaver, Spooner, Stock, Tinker, Toll, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson and Horn, (speaker)—61.

None voted in the negative;

The title was agreed to.

On motion of Mr. Spooner,

No. 20, *a.*, a bill to submit the question of bank or no bank.

Was laid on the table, and made special order for Monday next.

On motion of Mr. Briggs,

The assembly then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Spooner in the chair;

And after some time spent therein, the committee rose, and by their chairman reported,

No. 28, S., a bill to authorize Richard H. McGoun to construct and maintain a dam across the Pekatonica river, in Lafayette county.

No. 35, S., a bill to incorporate the fire department of the city of Milwaukee,

And, No. 36, S., a bill to provide for laying out a certain road therein described.

And,

No. 39, S., a bill to change the name of the town of Farmersville Dane county.

Without amendment.

And,

No. 29, S., a bill to incorporate the Green Bay, Milwaukee and Chicago rail road company.

With amendments.

And also reported progress on the said file of bills..

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bills No. 35, 36, and 39, S., were severally ordered to be read a third time.

On motion of M. Clothier,

Said bill No. 28, S., was referred to a select committee.

And,

On motion of Mr. Ladue,

Said bill No. 29, S., with the pending amendments, was referred to the committee on internal improvements,

Mr. Chase moved that the matter of the contested seat of Mr. Dick, the member from Calumet county, be made the special order for the afternoon of to-day,

Which was agreed to.

Mr. Tregaskis introduced the following resolution:

Resolved, that the committee on mining and smelting be instructed to inquire into the expediency of introducing a bill regulating the leasing and working of mineral lands.

On motion of Mr. Clothier,

Mr. Wing had leave of absence until Thursday next.

On motion of Mr. Hale,

The assembly adjourned until half past 2 o'clock P. M.

HALF PAST 2 O'CLOCK, P. M.

On motion of Mr. Jenkins

The reports from the committee on the matter of the contested seat of the member from Calumet county,

Were taken up.

Mr. Waldo moved that the parties contesting the right to said seat, be heard in person, or by counsel, or both as they might see fit,

Which was agreed to.

Mr. Jenkins offered the following resolution:

Resolved, that William H. Dick is entitled to his seat as a member of the assembly from the county of Calumet.

And the question being upon the adoption of said resolution,

Mr. D. E. Wood, who claimed to be entitled to the seat of the sitting member from said county, and his counsel, A. L. Collins, Esq,, were heard.

And also, Erastus Drury, Esq., of counsel for Mr. Dick.

Mr. Dick was excused from voting on the said resolution:

And the question having been put on the adoption thereof,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bird, Bjornson, Boyce, Bradley Cavney, Cole, Cone, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Henning, Jenkins, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Moore, Moorman, Murphy, Muzzy, Osborne, Perkins, Price, Rodolf, Rogan, Snover, Stock, Tinker, Tohl, Tregaskis, Van Vliet, Walker, Whitton and Wilson—43.

Those who voted in the negative were

Messrs. Chase, Clothier, Hale, Hemmenway, Hulburt, H. Johnson, Malmros, Olmstead, Ray, Seaver, Spooner, Tompkins, Vincent, Waldo, and Horn speaker—15.

On motion of Mr. Walker,

The report of the minority of the committee on privileges and elections, in relation to the matter of the said contested seat, with the resolution accompanying said report,

Were laid on the table.

On motion of Mr. Wilson,

The assembly adjourned.

WEDNESDAY, Jan. 29, 10, A. M.

Prayer by the Rev. Mr. Etchmann.

The journal of yesterday was read and approved.

The speaker announced the following select committee, in pursuance of the reference made yesterday of bill

No. 28, S., a bill to authorize Richard H. McGoun to construct and maintain a dam across the Pekatonica river, in Lafayette county, to wit:

Messrs. Cole, Olmstead and Tregaskis.

Petitions and remonstrances were presented and severally referred, as follows:

By Mr. Osborne,

The petition of F. Schultz and others, for a charter to authorize the building of a bridge across the Milwaukee river on sec. 5, town 7, range 22, in the town of Milwaukee:

Referred to committee on roads and bridges.

By Mr. Bradley,

The remonstrance of Henry Merrill and 36 others against

any grant by the legislature of a change for a toll bridge across the Wisconsin river at Fort Winnebago.

Referred to committee on internal improvements.

By Mr. Tinker,

The petition of Columbus Callwell and 81 inhabitants of the unorganized part of Marquette and Winnebago counties, for a law to organize a new county to be called Menominee, and establishing the county seat thereof at the town of Lind.

Referred to committee on judiciary.

Also,

The remonstrance of D. L. Wells and 22 others, citizens of Racine county, against the repeal or disturbance of the present usury laws,

Referred to same committee.

By Mr. Tompkins,

The petition of Wm. H. H. Bailey and 121 others, for the the submission of the bank question to the people.

Referred to committee on incorporations,

Also,

The petition of David Noggle and 100 others, for the repeal of the county court system.

Referred to committee on judiciary.

By Mr. Rogan.

The petition of J. A. Hadley and others, of Watertown, Jefferson county, for the passage of a usury law.

Also,

The petition of the board of supervisors of Jefferson county for a repeal of the law establishing county courts.

Both of which said petitions were referred to the committee on judiciary.

By Mr. Spooner,

The petition of Timothy Barker and 55 others, for the submission of the bank question to the people.

Referred to committee on judiciary.

Also

The petition of Schuyler S. Gates and 258 others, for a

state road from the bridge over the Wisconsin river at the Dells, to Point Boss on said river, and as near said river as practicable on the east side of the same.

Referred to committee on roads and bridges.

By Mr. Hemmenway,

The petition of E. M. Rice and 102 others, for the establishment of the rate of interest at seven per centum.

Referred to committee on incorporations.

By Mr. Waldo,

The remonstrance of J. M. Dart and 42, others, citizens of Marquette county, against any division of said county.

Referred to committee on town and county organization.

By Mr. Rodolf,

Sundry petitions from citizens of Winnebago county, for the location of the county seat of said county at Fort Winnebago.

Referred to committee on town and county organization.

Mr. Perkins presented the claim of Lyman Crossman, on Territorial certificates, vs. the state.

Which was referred to committee on claims,

No. 90, *a.*, a bill to provide for the time of holding county courts in the county of Kenosha.

Which was read the first and second time.

And,

Referred to committee on judiciary.

Mr Bird, on Leave granted, introduced bill

No. 91, *a.*, a bill to appropriate to David E. Wood the sum therein named.

Which was read the first and second time.

Mr. Bird moved that all rules be suspended for the purpose of considering said bill, and that it be read a third time now.

Which was disagreed to.

And said bill was referred to committee on claims,

Bills were further introduced; on leave granted, read the first and second time, and severally referred, as follows:

By Mr. Rogan, bill

No. 92, *a.*, a bill to declare certain roads in the town of Watertown lawful highways.

Also, bill

No. 93, *a.*, a bill to incorporate the Watertown, Hubbleville and Portland plank and turnpike road company.

Both of which said bills were referred to committee on claims.

By Mr. Jenkins, bill

No. 94, *a.*, a bill to incorporate the female normal institute and high school at Milwaukee.

Referred to committee on incorporations.

Mr. Walker from the committee to whom the same was referred, reported back bills

No. 25, S., a bill to amend section 11 of an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved August 8, 1848.

No. 65, *a.*, a bill to authorize Merrick Murphy and his associates to build a dam across the Oconto river;

No. 72, *a.*, a bill to authorize the construction of a dam across the Milwaukee river.

And,

No. 77, *a.*, a bill to incorporate the Nemahbin and Pine Lake plank road company.

Without amendment.

And recommended the passage of said bills,

And also reported back bills

No. 61, *a.*, a bill granting to Robert G. Hartt and Evred H. Ervin the right to keep and maintain a ferry across the Wisconsin river,

And,

No. 73, *a.*, a bill to authorize Alvin B. Carpenter to build a dam across Sugar river.

With amendments to each of said bills.

Mr. Utley from the committee on militia, reported bill

No. 95, *a.*, a bill relating to the militia.

Which was read the first and second times.

Mr. Henning from the committee on engrossed bills, reported as correctly engrossed, the following bills:

No. 13, *a*,, a bill for the apportionment of school monies, for the year 1851.

No. 22, *a*.. a bill to amend chapter 139, of title 33. of part 4, of the revised statutes. And,

No. 40, *a*., a bill to set apart and incorporate the county of Oconto.

Mr. Tohl from the committee on roads and bridges, reported bills

No. 96, *a*., a bill to provide for laying out and establishing the several state roads therein named.

No. 97, *a*., a bill to lay out a state road from the junction of the Madison and Verona state road to Wiota.

And,

No. 98, *a*., a bill to vacate a part of a state road therein named,

Which said bills were severally read a first and second time.

A message from the governor, by George P. Delaplaine, Esq., his private secretary.

EXECUTIVE DEPARTMENT,
Madison, Jan. 27th, 1851.

To the Assembly;

Acts entitled as follows.

An act to change the time for holding the county court for the county of Kenosha.

An act to authorize the town board of supervisors of the town of Mineral Point, to levy a special tax for the support of the poor of said town.

An act to authorize the collection of delinquent taxes in the county of Fond du Lac. And,

Memorial to congress in relation to a light house at La Point.

Were on the 24th inst., approved and signed by me, and deposited in the office of the secretary of state.

Signed, NELSON DEWEY.

The message from the senate was then taken up:

And,

No. 33, S., a bill to extend the time for collecting and making return of taxes levied in the city of Milwaukee, for state, county and school purposes, for the year 1850.

And,

No, 42, S., a bill to pay to David T.Dickson the sum therein named.

Were severally read the first and second time,

Mr. Walker moved that all rules be suspended for the purpose of considering said bill

No. 33, S., and that said bill be read a third time now.

Which was agreed to.

And said bill was read a third time, passed, and the title agreed to.

The amendments of the senate to bill

No. 4, *a.*,a bill to authorize the construction of a toll bridge across the Fox river at Depere, in Brown county,

Were concurred in.

A message from the senate by Wm. Hull Esq., their chief clerk,

Mr. Speaker.

I am directed to inform you that the senate has passed.

No. 32, S;, a bill to amend an act entitled an act to authorize Cleman Stoughton and Luke Stoughton to bui.d and maintain a dam across Rock river, and also, o authorize Anson W. Pope and Virgil Pope to build and maintain a dam across said stream, approved April 7th, 1843.

And,

No. 38, S., a bill to amend chapter 15 of the revised statutes, and describe the manner in which delinquent tax lands bid off by the counties shall be taxed.

In which the concurrence of the assembly is requested.

And has concurred in the passage of

No, 12,*a.*, a bill to amend an act entitled an act to provide for the appraisal and sale of school lands, and for granting

pre-emption rights thereon, approved Feb. 9, 1850.

Without amendment, and of

No, 21, *a.*, a bill to amend an act entitled an act providing for the sale of the school section in the city of Racine.

With an amendment.

In which the concurrence of the assembly is requested.

Said bills No. 13, and 40, *a.*, were taken up, severally read a third time, passed, and the titles thereof agreed to.

No. 35, S., a bill to incorporate the fire department of the city of Milwaukee.

No. 36, S., a bill to provide for laying out a certain road therein described.

And,

No. 39, S., a bill to change the name of the town of Farmersville in Dane county.

Were severally read a third time, passed, and the titles thereof agreed to.

On motion of Mr. Rodolf,

The assembly then resolved itself into committee of the whole for the consideration of the general file of bills.

Mr. Walker in the chair.

And after some time spent therein, the committee rose, and by their chairman reported,

No. 32, *a.*, a bill to amend section 56, chapter 16, title 6, part 1, of the revised statutes.

With amendments.

And also reported progress on the general file,

And asked leave to sit again;

Leave was granted;

The report of the committee of the whole being under consideration,

And the question being on concurring in the amendments made in committee of the whole to said bill

No. 32, *a*,,

The assembly refused to concur in the same.

Mr. Clothier moved to amend said bill by the addition of two sections, as follows:

Sec. 4. "Whenever the supervisors shall lay out, alter, or discontinue any highway, their order shall be filed with the Town Clerk within thirty days from the laying out of such road; otherwise, their proceedings shall be void.

Sec. 5. No public highway shall be opened by the supervisors, or considered a legal road until approved by a majority of all the votes given upon that question at the next annual Town meeting after the laying out of such highway.

And the question being on the adoption of said amendment:

A division of the question was called for.

And the question being put upon the adoption of the 1st section of the amendment.

It was decided in the affirmative.

The question was then put upon the adoption of the second section of the amendment.

And decided in the negative.

Mr. Estabrook moved that said bill and amendment, be referred to the committee on roads and bridges.

Which was agreed to:

On motion of Mr. Groot:

The assembly adjourned.

THURSDAY, January 30, 10 o'clock, A.M.

Prayer by Rev. Mr. Woodward.

The Journal of yesterday was read and corrected.

The speaker laid before the Assembly, a communication

from Lewis R. Cady, of Watertown, containing a proposition to grant the State a site for a Penitentiary, upon certain condition.

Which said communication was referred to committee on State Prison.

Petitions and remonstrances were presented and referred as follows:

By Mr. Moore,

The petition of Phillip Garner and others, for a law suppressing the sale of intoxicating liquors.

Referred to committee on charitable and religious institutions.

By Mr. Jones,

The petition of Wm. Kelly and 97 others, citizens of Grant county, for a division of said county, on a certain line therein described.

Referred to select committee, to whom were referred former petitions on the same subject.

By Mr. Tompkins,

The petition of Jacob Fowl and 100 others, for a usury law.

Referred to committee on Judiciary.

And,

The petition of David Noggle and 100 others, for a law to protect those claiming pre-emption on the University land, and allowing them to hold 80 acres at the appraised value,

Referred to committee on University and University lands.

Also,

The petition of Wm. W. Allen and 50 others, for a law prohibiting the sale of intoxicating liquors.

Referred to committee on religious and charitable institutions.

Also,

The petition of Charles C. Cheney, for the submission of the bank question to the people.

Referred to committee on incorporations.

By Mr. Spooner,

The petition of Alexander S. Brown and 83 others, for a law prohibiting the sale of intoxicating liquors as a beverage,

Referred to com. on charitable and religious institutions.

By Mr. Waldo,

The remonstrance of 132 citizens of Marquette county, against the removal of the county seat of said county.

Also,

The memorial of board of supervisors of said county, against dividing said county.

Referred to committee on town and county organization.

Mr. Waldo also presented the affidavit of Sawyer Carter in regard to fraudulent petitions on the subject of county seat of Marquette county.

Which was referred to committee on town and county organization.

Bills were introduced on leave granted severally read the first and second times, and referred, as follows:

By Mr. Eaton, bill

No. 89, *a.*, a bill for the relief of those persons commonly called Seventh day Baptists,

Referred to committee on charitable and religious institutions.

By Mr. Lessey, bill

No. 100, *a.*, a bill to amend an act entitled "an act to lay out a state road from Green Bay in Brown county, to Warsaw in Portage county," approved Feb. 9, A. D. 1850.

By Mr. Briggs, bill

No. 101, *a.*, a bill to incorporate the Cassville and Dodgeville rail road company,

Referred to committee on incorporations.

By Mr. Rodolf, bill

No. 102 *a.*, a bill to lay out a state road from the village of Madison in the county of Dane, to the 74 stake on section no. 36, town no. 9 north, of range no. 2 east, in the county of Richland;

Referred to committee on roads and bridges.

Mr. Tompkins, from the committee on internal improvements, to whom the same was referred, reported back.

No. 29, S., a bill to incorporate the Green Bay, Milwaukee and Chicago railroad company, with amendments.

And also reported adversely to the prayer of certain petitions which were referred to said committee, concerning the erection of a toll bridge across the Wisconsin river at Fort Winnebago.

Mr. Bannister, from the committee on enrolled bills, reported as correctly enrolled the following bills;

No. 19, *a.*, a bill to legalize the assessment of taxes, and to extend the time for the collection of the same in the town of Manchester in Calumet county;

No. 3, S., a bill providing for the election of chief justice.

No. 7. S., a bill to amend section 9 chapter 131, of the Revised Statutes;

No. 19. S., a bill to appropriate to Samuel W. Beall a certain sum of money;

No. 33, S., a bill to extend the time for collecting and making return of the taxes levied in the city of Milwaukee, for state, county, and school purposes for the year one thousand eight hundred and fifty;

No. 36, S., a bill to provide for laying out a certain road therein described;

And,

No. 39, S., a bill to change the name of the town of Farmersville, Dane co.

Which said enrolled bills were severally signed by the speaker.

Mr. Price, from the committee on state lands, reported bill

No. 103, S., a bill to provide for the survey and sale of certain lands in the town of Winaebago.

Which was read the 1st and 2d times.

Mr. Cole from the select committee to whom the same was referred, reported back bill

No. 28, S., a bill to authorize Richard H. McGoon to construct and m-intain a dam across the Picatonica river in La Fayette county,

Without amendments;

And recommended the passage thereof.

Mr. Estabrook, from the judiciary committee, to whom the same was referred, reported back

No. 15, S., a bill to amend the law in relation to the action of ejectment;

And recommended the passage of the same.

Also,

No. 24. *a.*, a bill to amend chapter 112 of the Revised Statutes,

And,

No. 90, *a:*, a bill to provide for the time of holding county courts in the county of Marathon.

With amendments.

Also

No. 79, *a.*, a bill relative to the release of one or more joint debtors,

With a recommendation that the assembly take no action on the same.

No. 37, *a.*, a bill to repeal chapter 86, title 22 of the Revised Statutes.

With a substitute for the same.

And in relation to said bill No. 37 *a.*, submitted the following report:

The committee on the judiciary, to whom was referred

Bill No. 37, *a.*, Entitled "a bill to repeal chapter 86, title 22 of the Revised Statutes,

Have had the same under consideration and have instructed me to report a substitute for said bill.

Your committee are impressed with the belief that a large portion of the people of the State are desirous that the common law jurisdiction of the county court should be repealed. The causes may be found in the fact that its common law pow-

ers and jurisdiction run so nearly parallel to those of the circuit court, that the few additional facilities furnished by it to suitors, are greatly overborne by the excessive burthen which it imposes upon the people. It is well known that most of the business of this tribunal, is that which was formerly cognizable by the circuit courts, and it is believed that in most counties, the business of both could be transacted at two terms of the circuit court, in each year, without making the duties of the circuit court unreasonably arduous. Should it prove otherwise, however, the terms could be multiplied in counties demanding them, or new circuits might be added, as the wants of the community require.

Your committee would recommend the preservation of the probate jurisdiction of the county court, and they have made the necessary provision therefor, in the bill herewith transmitted.

All of which is respectfully submitted.

E. ESTABROOK.
Ch'n Judiciary Com.

On motion of Mr. Biddlecome,

Ordered, that the usual number of the substitute reported by the Judiciary committee of said bill No 37 A, as also of the foregoing report, be printed for the use of the Assembly.

Mr Estabrook, from the same committee to whom was referred the petition of J. J. Petit, and 40 others, for amendments to statutes, reported adversely to the prayer of said petition.

Mr. Toll, from the committee on Roads and Rridges, to whom the same were referred, reported back bills,

No. 80, *a.*, a bill to amend an act entitled "an act to incorporate the Winnebago Lake and Fox River Road company."

And,

No. 83, *a.*, a bill to amend an act authorizing the laying out of a state road from Sheboygan to Madison,

Without amendment.

And recommend the passage of the same,

And, also, from same committee, reported bill

No. 104, *a.*, a bill to authorize J and G Tomlinson to construct a mill race in the village of Port Washington:

No. 105, *a.*, a bill to provide for laying out a state road from Token Creek to Fort Winnebago,

And,

No. 106, *a.*, a bill to lay out and establish a state road therein described.

Which said bills Nos. 104, 105, and 106, *a.*

Were severally read the first and second times.

The question on the passage of said bill was then put,

Mr. Estabrook, from the Judiciary committee, to whom was referred the petition of Abram Vanderpool and 58 others, of Jefferson county, for a law authorizing the Board of Supervisors in each county, to determine the number of Petit Jurors to be summoned to attend the sessions of the Circui Court therein,

Reported adversely to the prayer of the said petition.

On motion of Mr. Waldo,

No. 46, *a.*, a bill to provide for the location of the county seat of Winnebago county,

Was referred to committee on Town and County Organization.

Mr. Doran, on leave granted, introduced bill

No. 107, *a.*, a bill respecting sale of mortgaged premises,

Which was read the first and second times,

And referred to committee on Judiciary.

The message from the senate was then taken up, and

No. 32, S., an act to amend an act entitled "an act to authorize Clauden Stoughton and Luke Stoughton to build and maintain a dam across Rock river, and also to authorize Anson W. Pope and Virgil Pope to build and maintain a dam across said stream." Approved April 7, 1843, and

No. 38, S., a bill to amend chap. 15, of the Revised Statutes, and prescribe the manner in which delinquent tax lands bid off by the counties, shall be taxed,

Were severally read the first and second times.

The amendment of the Senate to bill

No. 21, *a.*, a bill to amend an act entitled " an act providing for the sale of the school section in the city of Racine,

Was concurred in.

No. 22, *a.*, a bill to amend chap. 139 of title 33, of part 4, of the Revised Statutes,

Was then taken up,

And said bill was read a third time,

And the question being on the passage of said bill,

Mr. Spooner, on unanimous leave of the Assembly, moved to amend said bill by striking out the following proviso :

"Provided that this section shall not be so construed, as to deprive any such assemblage or meeting, or any persons comprising them, of the right of laying hands npon the person or persons who may be disturbing or molesting them, and putting them out of the place of such assemblage or meeting ;"

And the question on the adoption of said amendment

Was put,

And decided in the affirmative,

And the ayes and noes being called for and ordered ,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird. Bjornsen, Boyce, Bradley, Briggs, Cavney, Clothier, Cone, Dick, Eastman, Easton, Estabrook, Everly, French, Fuller, Hale, Hemenway, Henning, Hulburt, J. B. Johnson, Jones. Julius, Kinney, Lowth, Moorman, Murphy, Muzzy, Osborne, Rodolph Rogan, Seaver, Smith, Spooner, Stock, Tinker, Toll, Tompkins, Tregaskis, Van Vliet, Vincent, Waldo, Whitton, and Wing—46.

Those who voted in the negative were,

Messrs. Cole, Doran, Groot, H. Johnson, Ladue, Lessey, Malmros, Moore, Olmstead, Perkins, Price, Utley, Wilson, and Horn [speaker]—15.

And decided in the affirmative,

The title was agreed to.

On motion of Mr. Rodolf,

The assembly then resolved itself into committee of the whole, for the consideration of bill

No. 18, *a.*, a bill relating to hawkers and pedlars ;

Mr. Lowth in the chair.

And after some time spent therein, the committee rose, and by their chairman reported back said bill,

With amendments.

A message from the senate by Wm. Hull, Esq., their chief clerk.

Mr. Speaker;

I am directed to inform you that senate has concurred in the passage of

No. 29, *a.*, a bill to pay F. P. Catlin the sum therein named ;

No. 39, *a.*, a bill to change the name of Sarah Dyer to Sarah Whiting ;

No. 51, *a.*, a bill to amend an act to provide a block of marble or granite to be placed in the national manument at the city of Washington ; and

No. 70, *a.*, a bill to extend the time for the collection of taxes in the town of Green Lake, Marquette county ;

Without amendment.

And that Senate has concurred in the amendments of the Assembly to

No. 3. S., a bill providing for the election of a Chief Justice, and

No. 19, S., a bill to appropriate to Samuel W. Beall a certain sum of money ;

And in the adoption of the following resolution :

Resolved, by the Assembly, [the Senate concurring.] That

a committee of three be appointed from each branch of the legislature, whose duty it shall be to inquire and report whether any person, in the employ of the legislature, is chargeable with having in his correspondence with newspapers, attacked the private character, and indulged in personalities against members of either body, and if so, what action may be necessary thereon ;

With amendments, in which the concurrence of the Assembly is requested ;

And has appointed under said resolution as amended, Messrs. Bugh, Wright and Hyer, as the committee on the part of the Senate ;

And that Senate has passed

No. 43, S., a bill to incorporate the Potosi and Dodgeville rail road company.

No. 46, S., a bill to repeal an act entitled "an act to organize the town of Monticello in the county of Lafayette.

No. 47, S., a bill to provide for the laying out of a state road in the county of Brown, and

No. 49, S., a bill in relation to public printing.

In which the concurrence of the Assembly is requested.

The report of the committee of the whole being under consideration,

The amendments of the committee to said bill No. 18, A,

Were concurred in.

And the question being on ordering said bill to be engrossed and read a third time,

Mr. Muzzy moved to strike out the enacting clause thereof ;

Which was disagreed to,

Mr. Clothier moved that the Assembly adjourn till half past two o'clock,

Which was disagreed to.

And the question recurring on ordering said bill No. 18, *a.*, to be engrossed and read a third time.

Mr. Tinker moved that said bill be indefinitely postponed.

Which was disagreed to.

Mr. Cole moved that the Assembly adjourn till 3 o'clock, P. M.

Which was disagreed to.

On motion of Mr. Doran

The Assembly adjourned.

FRIDAY, Jan. 31st, 10, A. M.

Prayer by Rev Mr. Etchman.

The Journal of yesterday was read and approved.

The Speaker laid before the Assembly a communication from the circuit Clerk of Iowa county, and another from the Circuit Clerk of Milwaukee county, in relation to fines imposed in criminal prosecutions, and collected since the organization of State Government;

Which said communications were referred to committee on education and school lands.

Petitions were presented and referred as follows:

By Mr. Seaver,

The petition of M. P. Maine and 32, others, praying for the submission of the question of "Banks or no Banks," to the people,

Referred to committee on Incorporations,

Also,

The petition of Joseph Osborne and 17 others, for the enactment of a law restricting the rate of interest for the use of money, not to exceed 12 per centum per annum.

Referred to the committee on Judiciary.

By Mr. Murphy,

The petition of D. Giddings and others, for the privilege of erecting and maintaining a dam at the outlet of Long Pond, in town 14, Range 19, in the county of Fond du Lac,

Referred to committee on Roads and Bridges.

By Mr. Estabrook,

The petition of C. M. Baker, John W. Boyd and numerous others, for a tax on dogs,

Referred to committee on Agriculture and Commerce.

By Mr. Eastman.

The petition of George T. Wright and other citizens of Winnebago county, for a change in the present system of county government ;

Referred to committee on Town and County Organization.

By Mr Lessey,

The petition of J. H. Jackson and 56 others of school district No. 1, of the town of Depere in Brown county. for relief ;

Referred to committee on Education and School Lands.

By Mr. Lowth,

The petition of Benjamin Proctor, Anson Ballard and David L. Atwell; district board of district No. 4. composed of the town plats of Appleton and Lawsburg, for the passage of a law legalizing the organization of said district ;

And accompanying said petition, a letter to State Superintendent of public instruction, from James Phinney ;

Referred to committee on Education and School lands.

By Mr. Bradley,

The remonstrance of 132 of the citizens of the county of Columbia, against the legislature taking any action in retaiion to the county seat of said county ;

Referred to committee on Town and county Organization.

By Mr. Tinker,

The petition of George C. Smith, tavern keeper, and 62 others, inhabitants of the State of Wisconsin, for the enactment of a law suppressing the sale of intoxicating liquors as a beverage ;

Referred to committee on charitable and religious institutions.

By Mr. Smith,

The petition of Miner Porter, William Blake and 47 others, citizens of Dodge county, for the submission of the bank question to the people ;

Referred to committee on incorporations.

Also,

The petition of Alonzo Hawley, Lewis Mann, and 141 others, citizens of Dodge county, for the repeal of the law of 1850, establishing the minimum price of University lands at $10 per acre, and that said lands may be brought into market under the act of 1849 ;

Referred to committee on University and University lands.

By Mr. Toll;

The petition of Charles Shutter and 95 other inhabitants of Jackson and Germantown, for a law exempting improvements on land, from taxes.

Referred to committee on agrioulture and commerce.

By Mr. Tompkins,

The petition of Hiram Bowen, Charles S. Jordan, and 49 others, for a law abolishing capital punishment ;

Referred to committee on Judiciary.

By Mr. Tregaskis,

The petition of E. A. Hall and 15 other citizens of Iowa county, residents of the town of Waldwich. for an act to enable them to obtain certain school moneys ;

Referred to committee on education and school lands.

By Mr. H. Johnson.

The memorial of C. Latham Sholes, for an appropriation of $3000, to pay the balance for publication of the Revised Statutes,

Referred to committee on Judiciary.

Bills were introduced on leave granted, severally read the first and second time, and referred, as follows:

By Mr. Jenkins, bill

No. 108, *a.*, a bill to purchase 100 copies of the reports nf the supreme court of the territory of Wisconsin;

Referred to committee on Judiciary.

By Mr Tompkins, bill

No. 109, *a.*, a bill to provide for repairing bridges across Rock river in the county of Rock, and for other purposes therein mentioned;

Referred to committee on roads and bridges.

Also, bill

No. 110, *a.*, a bill to appropriate funds for the benefit of the institution of the blind;

Referred to committee on education and school lands.

By Mr. Bannister, bill

No. 111, *a.*, a bill for the prevention and punishment of immorality and disorderly practices;

Referred to the committee on charitable and religious institutions.

By Mr. Clothier, bill

No. 112, *a.*, a bill to incorporate the Palmyra and Jefferson plank road company;

Referred to committee on incorporations.

By Mr. Biddlecome, bill

No. 113, *a.*; a bill licensing the sale of intoxicating liquors;

Referred to the select committee to whom petitions on that subject were referred.

Mr. Jenkins from the committee on Incorporations, to whom the same was referred, reported back bills

No. 53, *a.*, a bill to amend an act entitled 'an act to in

corporate the Racine and Rock river plank road company, approved Murch 6, 1848.

No. 62, *a.*, a bill to incorporate the Madison Matual Insurance company ;

And,

No. 94, *a.*, a bill to incorporate the Female Institute, and High School at Milwaukee ;

Without amendment ;

Recommending the passage of said bills.

Mr. Rogan, from the committee on claims, to whom the same was referred, reported back bill

No. 91, *a.*, a bill to appropriate to David E. Wood, the sum therein named.

Adversely to the passage of said bill,

And asked to be discharged from the further consideration thereof.

The committee was so discharged.

Mr. Rogan further reported from same committee, bills

No. 114. *a.*, a bill to appropriate to James Campbell the sum therein named.

No. 115. *a.*, a bill to appropriate to Alexander Mitchell a certain sum of money therein named.

And,

No. 116. *a.*, a bill to appropriate to Alexander Mitchell a certain sum of money therein named,

Which were severally read first and second times.

Mr. Eastman, from committee on roads and bridges, reported bill

No. 117, *a.*, a bill to authorize Henry J. Elliot and his associates to build and maintain a bridge across Fox river, at Delhi, in the county of Winnebago.

And also, from select committee to whom was referred the memorial of the Board of Supervisors of Winnebago county, in relation to the subject, bill

No. 118, *a.*, a bill in relation to state roads,

Which said bills No. 117, and 118, *a.*, were severally read the first and second times.

Mr. Lowth, from the committee on education and school lands, submitted the following report:

The committee on education and school lands, to whom was referred the petition of Willis Spencer and 34 others, beg leave to report:

That they have had the same under consideration, and present thereon a bill for the action of the Assembly;

The committee have also had under consideration bill No. 71, *a.*, a bill authorizing the sale of the unsold odd numbered sections of the Milwaukee and Rock river Canal Grant, for the use of schools. They would refer the same back to the assembly with an amendment, in which they ask the concurrence of the assembly,

And introduced bill

No. 119, *a.*, a bill to incorporate the Lafayette county Academy,

Which were read the first and second times.

Mr. Bannister, from the committee on enrolled bills, reported, that the committee had presented to the Governor for his approval,

An act to extend the time for collecting and making return of the taxes levied in the city of Milwaukee, for State, county and school purposes, for the year 1850.

And also reported as correctly enrolled,

No. 35, S., a bill to incorporate the Fire Department of the city of Milwaukee.

Said bill, No. 35, S., was thereupon signed by the speaker and together with the bills signed by the speaker yesterday,

Was transmitted to the senate.

Mr. Barnett, from the committee on charitable and religious institutions, to whom the same was referred, reported back bill

No. 99, *a*, a bill for the relief of those persons commonly called Seventh-day Baptists,

Without amendment.

And recommended the passage of the same.

Mr. Briggs, from the select committee, to whom was referred the petitions on the subject, reported bill

No. 120, *a.*, for the division of the county of Grant, and the erection of the county of Platt,

Which was read the first and second time.

A message from the Governor, by George P. Delaplaine, Esq., his private secretary :

EXECUTIVE DEPVRTMENT,
MADISON. Jan. 30, 1851.

To the Assembly :

Acts entitled as follows :

An act to extend the time for collecting taxes in the town of Hazle Green ;

An act to incorporate Brockway College ;

An act to establish the Emerald Grove Academy ,

An act to appropriate to Alonzo Higley the sum therein named ;

And,

Memorial to Congress, asking for an appropriation to open a road from Two Rivers to the Door ;

Were on the 29th inst. approved and signed by me, and deposited in the office of the Secretary of State.

(Signed) NELSON DEWEY.

EXECUTIVE DEPARTMENT,
MADISON, Jan. 30, 1851.

To the Assembly :

Herewith, I transmit to the Assembly, for the information of the legislature, certified copies of resolutions passed by conventions, assembled in the state of New Hampshire and Maryland, to revise the constitutions of said States, relative to the compromise acts passed by Cougress at its last session. Also resolutions of the leg., of the State of Vt. for the promotion of peace, which have been received at this Department.

(Signed) NELSON DEWEY.

On motion of Mr. Jenkins,

The reading of the resolutions referred to in the last preceding communication was dispensed with ; and it was

Ordered, that the usual number of copies of the same be printed for the use of the Assembly.

The message from the senate was then takea up, and bills

No. 43, S., a bill to incorporate the Potosi and Dodgeville rail road company,

No. 46, S., a bill to repeal an act entitled an act to organize the town of Monticello in the county of Lafayette.

No, 47, S., a bill to provide for the laying out of a state road in the county of Rrown,

And,

No. 49, S., in relation to public printing,

Were severally read the first and second times.

A message from the Senate by Wm. Hull, Esq,, their Chief Clerk :

Mr. Speaker —

I am directed to inform you that the Senate has passed

M. No. 6, S., memorial to Congress in relation to Fort Crawford ;

No. 52, S., a bill to appropriate to G. W. Gillett a certain sum of money; and

No. 54, S., a bill relating to the Milwaukee and Mississippi rail road company ;

In which the concurrence of the Assembly is reqnested.

The consideration of the message from the Senate was resumed.

And the question being on concurring in the amendments of the Senate to the following joint resolution, to wit :

Resolved. by the Assembly, (the Senate concurring,) That a committee of three be appointed from each branch of the Legislature, whose duty it shall be to inquire and report, whether any person in the employ of the legislature is chargeable with having in his correspondence with newspapers, attacked the private character, and indulged in personalities

against members of either body, aud if so, what action may be necessary thereon.

On motion of Mr. Briggs,

Said resolutions and amendments were laid on the table.

Mr. Briggs, then, on leave of the Assembly, introduced the following preamble and resolutions :

Whereas, Ernest Preiser, a person in the employ of the chief clerk of the Senate, is chargeable with having, in correspondence with German newspapers in Milwaukee, unjustly and maliciously attacked the presiding officer and several members of this Assembly,

Therefore, Resolved, That this Assembly would most respectfully ask the Hon. the Senate, to instruct their Chief Clerk to discharge said Prieser from his employ.

Resolved, further, that the Chief Clerk of this Assembly be requested to transmit a copy of the foregoing preamble and resolution to the President of the honorable Senate.

The rules were suspended for the consideration of said preamble and resolutions,

And the questien being on the adoption thereof,

Mr. Muzzy moved that they be referred to the committee on religious and charitable institutions.

Which was disagreed to.

Mr. Spooner moved that said preamble and resolutions be referred to the committee on privileges and eleetions ;

Which was agreed to.

The rules having been suspended for the purpose.

The assembly then resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Jenkins in the chair.

And after some time spent therein, arose and by their chairman, reported

No. 30, *a.*, a bill to pay Jshn F. Lessey the sum therein named.

No. 35, *a.*, a bill to provide for the more speedy collec-

tion and payment of fines, forfeitures and penalties remaining in the hands of justices of the peace.

No. 36, *a.*, a bill to amend an act entitled "an act to authorize Eliphalet S. Miner and Henry Clinton, to improve the navigation of the Grand Rapids in the Wisconsin river," approved Jan. 29, 1847.

No. 42. *a.*, a bill to divide Crawford county, and organize the counties of Bad Axe and La Crosse.

No. 44, *a.*, a bill to provide for the labor of prisoners;

And

M. No. 2, *a.*, a memorial to Congress asking a grant for the improvement of the mouth of Black river;

Without amendment;

And also reported progress on the general file;

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bills, No. 30, 36, 42, and 44, *a.*, and said memorial No. 2. *a.*,

Were severally ordered to be engrossed and read a third time.

On motion of Mr. Spooner,

Said bill, No. 35 A, was referred to the committee on judiciary.

The question being on ordering said bill No. 44 A, to be engrossed and read a third time.

It was returned, under the 23d rule of the Assembly, to the file of bills reported by the committee of the Whole.

The following resolution was then taken up, considered and adopted;

Resolved, That the committee on Mining and Smelting be instructed to inquire into the expediency of introducing a bill regulating the leasing and working of mineral lands.

On motion of Mr. Hale,

The Assembly adjourned till 2 o'clock P. M.

Two o'clock, P. M.

The following bills, to wit:

No. 15, S., a bill to amend the law in relation to the action of ejectment;

No. 25, S., a bill to amend Sec. 11 of "an act to provide for the improvement of the Fox and Wisconsin Rivers and connecting the same by a canal," approved August 8th 1848.

And No. 28, S., a bill to authorize Richard H. McGoon to construct and maintain a dam across the Picatonica river in Lafayette county,

Were taken up, severally read a third time—passed.

And the titles thereof agreed to.

Mr. Jenkins from the committee on Incorporations, to whom the same was referred, (the rules having first been suspended for the purpose,) reported back bill,

No. 78, *a.*, a bill to incorporate the village of Manitowoc,

Without amendment,

And recommend the passage thereof.

On motion of Mr. Jenkins,

The rules having first been suspended for the purpose,

The Assembly resolved itself into committe of the Whole for the consideration of the general file of bills;

Mr. Jenkins in the chair:

And after some time spent therein, rose and by their chairman, reported,

No. 38, S., a bill to amend chapter 15 of the Revised Statutes, and prescribe the manner in which delinquent tax lands bid off by the counties, shall be taxed.

No. 41, S., a bill to appropriate to Emory Healy a certain sum of money;

No. 42. S., a bill to pay David T. Dickson the sum therein named;

No 47, *a.*, a bill to change the course and width of Second Street in the village of Whitewater:

No. 50, *a.*, a bill to appropriate to King and Fuller the sum therein named;

And,

No. 52, *a.*, a bill to incorporate the Packwaukee Bridge Company;

Without amendment;

And also, reported,

No. 24, *a.*, a bill to amend chapter 112 of the Revised Statutes;

With a substitute therefor;

And,

No. 43. S., a bill to incorporate the Potosi and Dodgeville Railroad Company.

With amendments;

The report of the Committee of the Whole being under consideration,

Said bills. No. 38 and 41, S,

Were severally ordered to be read a third time.

And said bills, No, 47, 50 and 52 A,

Were severally ordered to be engrossed and read a third time.

The question being on concurring in the substitute reported by the Committee of the Whole to said bill No, 24 A;

On motion of Mr. Spooner;

The said bill and substitute were laid on the table, and said substitute ordered to be printed.

The question being on concurring in the amendments made in committee of the whole to No. 43., S,

Upon a division o the question;

Mr. Biddlecome moved that the following amendment be not concurred in:

"Provided that said company shall not have right to enter upon and use any land or materials thereupon, in case of the

pending of an appeal by either of the parties on assessment of damages, until the decision of the Court is had thereon, and after such decision the full amount of damages has first been tendered to the owner of the land or material to be used by said company."

And the said amendment was not concurred in.

The assembly concurred in the other amendments to said bill reported by the committee.

The question then being on ordering said bill to be engrossed and read a third time:

Mr. J. B, Johnson moved to amend the same, by striking out the words from section 16, "as they shall from time to time think reasonable," and insert, "as the legislature shall from time to time prescribe."

Which was agreed to.

Said bill was then ordered to be read a third time

The question being on ordering said bill No. 42, S. to be read a third time;

On motion of Mr. Tompkins,

Said bill was referred to a select committee, to consist of the committee on claims, and the committee on Printing.

No. 18, *a.*, a bill relating to Hawkers and Peddlers,

Was then taken up;

And the question pending being on ordering said bill to be engrossed and read a third time.

Mr. Wilson moved that said bill be amended by an additional section in the follywing words;

"Nothing herein contained shall in any manner affect property exempt from execution as provided in chapter 102 of the Revised Statutes, and in no case shall the party be liable to imprisonment for the non-payment of any fine."

Which was disagreed to.

Mr. Hale moved to amend said bill by adding to the 11th section the following provisos.

Provided, that nothing in this act shall be so construed as

to apply to resident merchants or dealers, who may sell or vend wares or merchandise, on which taxes have been paid in the State.

Provided, also, that any person who by reason of bodily infirmity shall be unable to perform manual labor shall be exempt from the provisions of this act,

Which was disagreed to.

Mr. J. B. Johnson demanded the previous question;

Which was seconded.

And the question being,

"Shall the main question be now put?"

It was decided in the affirmative.

And the ayes and noes being called for hnd ordered,

Those who voted in the affirmative were

Messrs Bannister, Biddlecome, Bird, Briggs, Clothier, Dick. Doran, Eastman, Easton, Estabrook, Everly, Fuller, Hale, Hemenway, Jenkins, J. B. Johnson, Jones, Kinney, Lessey, Malmros, Moorman, Perkins Price, Rodolf, Rogan, Smith, Stock, Toll, Tompkins, Tregaskis, Van Vliet, Wing and Horn (Speaker)—33.

Those who voted in the negative were

Messrs Barnett, Bjornson, Boyce, Cavney, Cole, French, Groot, Hurlburt, H. Johnson, Julius, Ladue, Lowth, Moore, Olmstead, Osborn, Seaver, Spooner, Tinker, Utley, Vincent, Waldo, Whitton; and Wilson—25.

The main question was then put,

And decided in the affimative.

And the ayes and noes being called for and ordered,

Those who voted in the affimative, were

Messrs Bannister, Biddlecome, Bird, Briggs, Clothier, Dick, Doran, Eastman, Estabrook, Everly, Fuller, Hale, Hemenway, Jenkins, J. B. Johnson, Jones, Ladue, Lessey, Malmros, Moormon, Perkins, Price, Rodolph, Rogan, Smith, Spooner, Stock, Toll, Tompkins, Tregaskis, Van Vleit and Wing—32.

Those who voted in the negative, were

Messrs Barnett, Bjornson, Boyce, Cavney, Cole, Easton, French, Groot, Hulburt, H. Johnson, Julius, Kinney, Lowth, Moore, Murphy, Muzzey, Olmsted, Osborne, Seaver. Tinker, Utley, Vincent, Waldo, Whitton, Wilson, and Horn (Speaker)—26.

So the said bill was ordered to be engrossed and read a 3d time.

Mr. Biddlecome moved that all rules be suspended and that bill

No. 91, *a.*, a bill to appropriate to David E. Wood the sum therein named,

Be taken up and considered,

Which was agreed to;

And the question being on ordering said bill to be engrossed and read a third time,

It was decided in the affirmative.

Those who voted in the affirmative were.

Messrs Barnett, Biddlecome, Bird, Boyce, Briggs, Clothier, Cole, Doran, Eastman, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, Jones, Julius, Kinney, Lessey, Malmros, Moore, Olmstead, Perkins, Rodolf, Seaver, Smith, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vleit, Vincent, Waldo, Wilson, Wing and Horn (Speaker)—39.

Those who voted in the negative were

Messrs, Bannister, Bjornson, Cavney, Dick, Easton, Estabrook, Everly, French, Fuller, J. B. Johnson, Ladue, Lowth, Moorman, Murphy, Muzzy, Osborn, Price, Rogan, and Whitton—19.

Mr. Spooner moved that the rules be suspended, and that said bill be read a third time now,

Which was agreed to.

Said bill was then read a third time;

And the question on its passage was decided in the affirmative.

Those who voted in the affimative, were

Messrs Barnett, Biddlecome, Bird, Boyce, Briggs, Clothier, Cole, Doran, Eastman, Groot, Hale, Hemenway, Hulburt, Henning, H. Johnson, Julius, Kinney, Lessey, Malmros, Moore, Olmstead, Perkins, Rodolf, Seaver, Smith, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vleit, Vincent, Waldo, Wilson, Wing and Horn (Speaker)—38.

Those who voted in the negative, were

Messrs, Bannister, Bjornsen, Bradley, Cavney, Dick, Easton, Estabrook, Everly, French, Fuller, J. B. Johnson, Jones, Ladue, Lowth, Moorman, Murphy, Muzzy, Osborne, Price, Rogan, and Whitton—21.

The question then being on agreeing to the title of said bill.

Mr. Ladue moved to amend the same by striking out the word "appropriate," and inserting in lieu thereof the word "donate;"

Which was not agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Bjornsen, Bradley, Cavney, Dick, Estabrook, French, Fuller, J. B. Johnson, Jones, Ladue, Moorman, Osborne, Price and Whitton—15.

Those who voted in the negative were.

Messrs Barnett, Biddlecome, Bird, Boyce, Briggs, Clothier, Cole, Doran, Eastman, Easton, Everly, Groot, Hale, Hemenway, H. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Moore, Murphy, Muzzey, Olmstead, Perkins, Rodolf, Rogan, Seaver, Smith, Spooner, Stock, Tohl, Tompkins, Tregaskis, Utley, Van Vleit, Vincent, Waldo, Wilson, Wing and Horn (Speaker)—42.

The title of said bill was agreed to.

On motion of Mr. Groot,

Mr. Cone had leave of absence.

On motion of Mr. Jenkins,

Mr. Walker had leave of absence for five days.

On motion of Mr. Rogan,

The Assembly adjourned.

SATURDAY, Feb. 1st,—10 A. M.

Prayer by Rev. Mr. Woodward.

The Journal of yesterday was read and approved.

Petitions and remonstrances were severally presented, and referred, as follows:

By Mr. Eastman:

The petition of Hiram McKee, and others, of School District No. 1, in the town of Utica, Winnebago county, for relief;

Referred to committee on education and school lands.

By Mr. Spooner;

The petition of J. R. Kinnie, and 93 others, for a law to limit the rate of interest;

Referred to committee on incorporations.

By Mr. Waldo,

The petition of 118 citizens of Marquette county, for a state road from Berlin to Waupacca Falls;

Referred to committee on Roads and Bridges.

By Mr. Bradley,

Sundry remonstrances from citizens of Columbia county, against the submission of the county seat question,

Referred to committee on town and county organization.

By Mr. Lowth:

The petition of M. R. Keegan, and 70 others, for the submission of the question of "Banks or no Banks."

Referred to committee on incorporations.

By Mr. Bird,

The petition of citizens of Dane county, for the limitation of the rate of interest, and for the submission of the Bank question.

Referred to committee on incorporations.

By Mr. Barnett,

The petition of the board of supervisors of Fond du Lac county, in relation to interest on tax certificates:

Referred to committee on Ways and Means; also,

The petition of Vernon Tichenor and others, for the submission of the bank question;

Referred to the committee on incorporations.

By Mr. Tinker,

The petition of Oran Wright and 119 others, of the state of Wisconsin, for a law suppressing the sale of intoxicating liquors as a beverage.

Referred to the committee on Charitable and Religious Institutions.

By Mr. Rogan,

The petition of the board of supervisors of the town of Watertown, Jefferson county, in relation to roads and highways in said town,

Referred to committee on roads and bridges.

The Speaker laid before the Assembly a communication from the circuit clerk of Dodge co., in relation to fines imposed and collected in criminal prosecutions since the organization of state government.

Referred to committee on Ways and Means;

Also,

A petition of German citizens of the 1st Ward of the city of Milwaukee, for the submission of the bank question.

Referred to committee on incorporations.

Mr. Ladue introduced the following preamble and resolution;

Whereas, This Assemby have passed a bill allowing David E. Wood per diem. and mileage for coming here and contesting the seat of Wm. H. Dick, to which seat it was decided by this House he had no right, under the statutory laws of this state, and in which decision no constitutional question was decided, Therefore,

Resolved, That a consistent course of benevolence on the part of the State, would mete out the same remuneration to John Delany, for the expenses incurred in contesting the right of the member from Portage county to a seat in the last Assembly.

Mr. Moorman, on leave granted introduced bill.

No. 121, *a.*, a bill to extend the eastern boundary of Portage county;

Which was read the first and second times, and

Referred to committee on town and county organization.

Mr. Jenkins, from the committee on incorporations, to whom the same were referred, reported back,

No. 93, *a.*, a bill to incorporate the Watertown, Hubbleville and Portland Plank and Turnpike Road company.

And,

No. 101, *a.*, a bill to incorporate Cassville and Dodgeville Railroad company.

Without amendment;

And recommended the passage of said bills.

Mr. Utley, from committee on Militia, reported bill

No. 122, *a.*, a bill to exempt certain persons from paying a poll tax,

Which was read the 1st and 2d times, and

Also presented the "annual report of the Racine and Rock river Plankroad company.

On motion of Mr. Utley,

Ordered that the usual number of said report be printed for the use of the Assembly.

Mr. Tohl, from the committee on roads and bridges, reported bill

No. 123, *a.*, a bill to amend an act entitled. "an act to incorporate the Wisconsin bridge company,"

Which was read first and second times,

And moved that all rules be suspended for the present consideration of said bill and that it be read a third time now.

Which was disagreed to.

Mr. Cole, on leave granted, introduced bill

No. 124, *a.*, a bill to authorize the construction of a dam across the Picatonica river in La Fayette county,

Which was read the first and second times, and

Referred to committee on incorporations.

Mr. Bannister, from the committee on enrolled bills, reported as correctly enrolled, bill

No. 12, *a.*, a bill to amend an act entitled, "an act to provide for the appraisal and sale of school lands and for granting pre-emption rights thereon;" approved Feb. 9, 1850, and

No. 27, *a.*, a bill to extend the time for collecting taxes in the town of Brooklyn, Sauk county;

And also reported that said committee did, on yesterday present to the Governor for his approval, acts of the following titles;

An act to change the name of the town of Farmersville, Dane county;

An act to amend section 9, chapter 131 of the Revised Statutes;

An act to provide for laying out a certain road therein described;

An act to appropriate to Samnel W. Beall a certain sum of money;

An act providing for the election of chief justice;

An act to legalize the assessment of taxes and to extend the time for the collection of the same, in the town of Manchester, Calumet county, and

An act to incorporate the Fire Department of the city of Milwaukee.

Said bills No. 12 and 27, A, were severally signed by the Speaker.

Mr. Olmstead moved that the vote by which the Assembly yesterday concurred in the passage of

No. 28, S., a bill to authorize Richard H. McGoon to construct and maintain a dam across the Picatonica river in Lafayette county,

Be reconsidered,

Which was agreed to,

And said bill being before the Assembly,

Mr. Olmstead had unanimous leave to amend by adding to section one thereof the following proviso;

Provided, also, that the said dam herein authorized to be erected shall not interfere with any dam already erected or hereafter authorized by law to be erected on said stream.

Said bill was then passed;

And the title agreed to.

The following bills to wit :

No. 38, S., a bill to amend chapter 15 of the Revised Statutes, and the manner in which delinquent tax lands bid off by the counties shall be taxed;

And, No 43, S., a bill to incorporate the Potosi and Dodgeville Railroad company,

Were severally read a third time, passed,

And the titles agreed to.

No. 41, S., a bill to appropriate to Emory Healy a certain sum of money,

Was read a third time,

And the question on its passage

Was decided in the affirmative.

Those who voted in the affimative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Bradley, Briggs, Cavney, Clothier. Cole, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hemenway. Henning, Hulburt Jenkins H. Johnson, J. B. Johnson. Jones, Julius, Kinney, Ladue, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Olmsted, Osborne Perkins, Price, Rodolf, Rogan, Seaver, Smith, Spooner, Stock, Tinker, Tompkins, Tregaskis, Utley, Van Vleit, Waldo, Whitton, Wilson, Wing and Horn (Speaker)—56.

Messrs Lowth and Tohl voted in the negative—2.

The title was agreed to,

On motion of Mr. Groot,

The Assembly resolved itself into committee of the Whole for the consideration of the general file of bills;

Mr. Biddlecome in the chair.

And after sometime spent therein, rose and by their chairman reported,

No. 45. *a.*, a bill to provide for making returns of elections iu Towns to the clerk of the Board of supervisors of the county.

No. 53, *a.*, a bill to amend an act entitled "an act to incorporate the Racine and Rock river plank road company;" approved March 6th, 1848.

No. 57, *a.*, a bill to authorize Josiah H. Dart to build and maintain a bridge across Fox River.

No. 58, *a.*, a bill to amend Sec. 9 of Chapter 131 of Title 29, of part 3 of the Revised Statutes.

No. 64, *a.*, a bill to amend the act incorporating the Sheboygan and Mayville plank road company.

No. 68, *a.*, a bill to appropriate to Fratney and Herzberg the sum of fifty dollars;

And,

No. 69, *a.*, a bill to change the name of the Town of Olio in Sheboygan county.

Also,

M. No. 4, *a.*, a memorial to Congress for the establishment of a Mail route from Prescott to the Falls of St. Croix.

Without amendment.

And,

No. 40, S., a bill to appropriate the legal representatives of Jackson Richardson, deceased, a certain sum of money,

With an amendment,

And also reported progress on the general file of bills,

And asked leave to sit again.

Leave was granted.

A message from the Senate, by William Hull Esq., their chief clerk:

Mr. Speaker;

I am directed to inform you that Senate has passed

No. 5, S., a bill to authorize the Milwaukee and Janesville Plank road company to build branch roads.

No. 18, S., a bill to set apart and incorporate Dorr county.

No. 45, S., a bill to amend chapter 127 of the Revised Statutes, and

No. 75, S., a bill to change the name of the third and fourth lakes and of Catfish river in Dane county,

And has adopted the following Resolution;

Resolved by the Senate [the assembly concurring] that the Senate and Assembly will meet in joint convention on the twelfth instant., at eleven o'clock A. M. for the purpose of electing three commissioners of the Board of public works, and a Register of the state Land Office and a Treasurer of the board of public works,

In which the concurrence of the Assembly is requested.

And that Senate has passed

No. 40, *a.*, a bill to set apart and incorporate the county of Oconto, with amendments.

In which the concurrence of the Assembly is requested.

The report of the committee of the whole was taken up for consideration,

And said bills, Nos. 45, 53, 57, 58, 64, 68 and 69, *a.*, and said Memorial No. 4 A.,

Were severally ordered to be engrossed and read a third time.

The amendment made in committee of the whole to said bill No. 40, S.,

Was concurred in,

And the question being on ordering said bill to be read a third time.

Mr. Tregaskis moved that the rules be suspended for the purpose, and that said bill be read a third time now,

Which was agreed to:

The said bill was read a third time,

And the question on the passage thereof,

Was decided in the affirmative,

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Biddlecome, Bjornsen, Bradley, Briggs, Cavney, Clothier, Cole, Dick, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Hulbert, Jenkins, H. Johnson, J B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmsted, Osborne, Perkins, Price, Rodolf, Rogan, Seaver, Smith, Spooner, Stock, Tinker Tohl, Tompkins, Tregaskis, Utley, Van Vleit; Waldo, Whitton, Wilson, Wing and Horn (Speaker)—55.

Mr Bird voted in the negative—1.

The title was agreed to.

On motion of Mr. Moorman,

The Assembly adjourned.

MONDAY, Feb. 3, 10 A. M.

Prayer by Rev Mr. Lattin.

The Journal of the 1st inst. was read and approved.

The speaker laid before the Assembly, communications, one from the circuit clerk of Jefferson co., and one from the circuit clerk of Walworth co., in reference to the amount of fines imposed and collected in criminal prosecutions. since the organization of state government :

Which said communications were referred to committee on ways and means.

Petitions were presented and severally referred as follows :

By Mr. Rodolf,

The petition of W. W. Jennings, and 509 others, citizens of Iowa and Grant counties, for the passage of a law to lay off a new county out of parts of Iowa and Grant counties, to be called Franklin co.

Referred to a select committee of five.

By Mr. Cole ,

The petition of H. W. Barnes and 63 others, citizens of the towns of Wiota, Fayette and Center, in La Fayette co., for an alteration in the boundary line of said towns ;

Referred to committee on Town and County Organization.

By Mr. Groot,

The petition of R. C. Robertson, S. Breedle, J. M. Frit and 35 others, of the town of Vernon, Waukesha county, against the repeal of the present law in relation to the sale of intoxicating drinks :

Referred to committee on charitable and religious institutions.

By Mr. Kinney,

The petition of Stephen Eastman and 80 others, for the passage of a usury law ;

Referred to committee on Judiciary.

By Mr. Tompkins,

The petition of L. H. Jones, for the repeal of a bridge charter, or to have a draw in the same of the width of 130 feet ;

Also,

The petition of the county board of Rock county, for the payment of witnesses in criminal cases ;

Both of which were referred to committee on judiciary.

By Mr. Gifford,

The petition of John O. Harrison and 64 others, of Waukesha county, for the preservation of the several kinds of game in this state ;

Referred to committee on agriculture and commerce.

By Mr. Waldo,

The petition of G. B. Worth, and 21 others, citizens of Marquette co.. for a law imposing a tax of one dollar upon every dog and two dollars upon every bitch in this state.

Referred to committee on agriculture and commerce.

By Mr. Gifford,

The petition of Jacob Vanboosen and others, for the repeal of the present law regulating the sale of intoxicating drinks;

Referred to select committee on that subject.

By Mr. Tinker,

The petition of Wm. Johnson and 37 others, of the State of Wisconsin, for a law suppressing the sale of intoxicating liquors as a beverage;

Referred to committee on charitable and religious institutions.

By Mr. Julius,

The petition of inhabitants of Calumet and Fond du Lac counties, in relation to town organization;

Referred to committee on Town and County Organization.

By Mr. Seaver,

The petition of Andrus Cotter and 66 others, citizens of the county of Rock, for the submission of the question of "banks or no banks," as is provided in the constitution;

Referred to committee on incorporations.

Mr. Spooner introduced the following resolution:

Resolved, (the senate concurring,) That the Governor be instructed to cause to be erected, previous to the next session of the legislature, proper apparatus for warming the senate and assembly chambers, in accordance with the plan adopted in the University buildings.

Mr. Clothier introduced the following resolution:

Resolved by the assembly, (the senate concurring,) That no new business shall be received at this session of the legislature after the 15th day of February inst., at 12 o'clock, M.,

and that the 25th inst., be fixed for the final adjournment of this legislature.

Bills were introduced on leave granted, severally read the first and second times, and referred, as follows :

By Mr. Tompkins, bill

No. 125, *a.*, a bill to provide for the erection and location of a State Prison.

Referred to committee on State Prison.

By Mr. Hale, bill

No. 126. *a.*, a bill submitting the question of extension of the rights of suffrage to a vote of the people.

Referred to a select committee of three.

Mr. Henning, from the committee on engrossed bills, reported as correctly engrossed. bills

No. 30. *a.*, a bill to pay John F. Lessey the sums therein named ,

No. 42. *a.*, a bill to divide Crawford co., and organize the counties of Bad Axe and La. Crosse.

No. 47, *a.*, a bill to change the course and width of Second street, in the village of Whitewater,

And,

No. 50, *a.*, a bill to appropriate to King & Fuller the sum therein named.

Also,

Mem, No. 2, *a.*. a memorial to Congress asking a donation of land for the improvement of the mouth of Black river.

A message from the senate by Wm. Hull, Esq., their chief clerk.

Mr. Speaker .

I am directed to inform you that senate has passed,

No. 17, S., a bill to divide the county of Brown and create the county of Outagamie, and

No. 58, S., a bill to extend the corporate limits of the village of Madison.

In which the concurrence of the assembly is requested.

And has passed

No. 13, *a.*, a bill for the apportionmect of school monies for the year 1851.

And,

No. 22. *a.*, a bill to amend chap. 139, title 33, part 4, of the Revised Statutes.

Mr. Rodolph, from the committee on town and county organization, to whom the subjects had been referred, submitted a report adverse to a division of Marquette county, and the submission of the question of location of its county seat to a vote of the people, and reported back bill

No. 46; *a.*, a bill to provide for the location of the county seat of Marquette county,

With a recommendation that no further action be had upon said bill at the present session of the legislature.

Mr. Lowth, from the committee on education and school lands, reported bill

No. 127. *a.*, a bill for the relief of the town of Pleasant Spring, in the county of Dane,

Which was read the 1st and 2d times.

Mr. Rogan, from the committee on claims, reported bills

No. 128, *a.*, a bill to apprepriate to J. Quintus the sum therein named.

No. 129, *a.*, a bill to appropriate to Alexander F. Pratt the sum therein named.

No. 130, *a.*, a bill to appropriate Ole Torgerson the sum therein named.

No. 131, *a.*, a bill to appropriate James P. Whitney the sum therein named.

No, 132, *a.*, a bill to appropriate Ira B. Brunson the sum therein named.

And,

No. 133, *a.*, a bill to appropriate Ira B. Brunson the sum therein named.

Which said bills were severally read the first and second times.

Mr. Tohl, from the committee on roads and bridges, reported back bills.

No. 92, *a.*, a bill to declare a certain road in the town of Watertown a lawful highway ;

And,

No. 100, *a.*, a bill to amend an act entitled "an act to lay out a state road from Green Bay, in Brown county, to Wausau, in Portage Co., approved Feb. 9, A. D. 1850.

Without amendment.

And recommended their passage.

Mr. Ladue, from the committee on printing, and the committee on claims, to whom the same was referred, reported back bill,

No. 42, S., a bill to pay David T. Dickson the sum therein named ,

Without amendment.

And recommended the passage thereof,

And also, from the select committee to whom was referred that portion of the Governor's message relating to the "Fugitive Slave Law," and the subject of Slavery, submitted a report :

(See Appendix.)

On motion of Mr. Henning,

Ordered, that 500 copies of said report be printed, and that the consideration of the report be made the special order of the day, for the 13th inst.

Mr, Waldo had leave to withdraw said bill No. 46, *a.*, from the files of the Assembly.

The following preamble and resolution, to wit :

Whereas, This assembly have passed a bill, allowing David E. Wood per diem and mileage for coming here and contesting the seat of Wm. H. Dick, to which seat it was decided by this House he had no right, under the statutory laws of this state, and in which decision no constitutional question was decided ; Therefore

Resolved, That a consistent course of benevolence on the

part of the State, would mete out the same remuneration to John Delany, for the expenses incurred in contesting the right of the member from Portage county to a seat in the last assembly.

Were taken up ;

And the question being on the adoption thereof ;

Mr. Rodolf moved that they be indefinitely postponed ;

Which was agreed to.

And the ayes and noes being called for and ordered,

Those who voted in the affirmative were,

Messrs. Barnett, Biddlecome, Bird, Briggs, Clothier, Cole, Doran, Eastman, Easton, Everly, Fuller, Groot, Hale, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Lessey, Moore, Osborne, Olmstead, Price, Perkins, Rodolph, Rogan, Seaver, Smith, Spooner, Stock, Tinker, Tohl, Tompkins, Van Vliet, Vincent, Waldo, Wilson, Wing, and Horn (Speaker)—39.

Those who voted in the negative were,

Messrs. Bannister, Bjornsen, Bradley, Cavney, Dick; French, Gifford, Henning, Ladue, Lowth, Moorman, Murphy, Muzzy, Tregaskis, Utley, and Whitton—16.

The speaker laid before the Assembly communications from the Governor, as follows :

EXECUTIVE DEPARTMENT,
MADISON, Feb. 1, 1851.

To the Assembly :

Acts entitled as follows :

An act to change the name of the town of Farmersville, Dane county ;

An act to legalize the assessment of taxes, and to extend the time for the collection of the same, in the town of Manchester, Calumet county,

Have this day been approved and signed by me, and deposited in the office of the Secretary of State.

(Signed) NELSON DEWEY.

The messages from the senate were taken up and considered, and bills

No. 5, S., a bill to authorize the Milwaukee and Janesville plank road company to build branch roads.

No. 17, S., a bill to divide the county of Brown, and create the county of Outagamie.

No. 18. S., To set apart and incorporate Door County.

No. 45, S., a bill to amend chapter 127 of the Revised Statutes.

No. 52, S., a bill to appropriate to G. W. Gillett a certain sum of money.

No. 54, S., a bill relating to the Milwaukee and Mississippi rail road company.

No, 58, S., a bill to extend the corporate limits of the village of Madison.

And

No. 75, S., a bill to change the names of the third and fourth lakes, and Catfish river, in Dane county.

Also,

M. No. 6, S., a memorial to Congress in relation to Fort Crawford;

Were severally read the first and second times.

Mr. Ladue moved that said bill No. 52, S., be laid on the table,

Which was disagreed to.

On motion of Mr. Spooner,

Said bill was referred to the committee on Judiciary.

The amendments of the senate to

No. 40, *a*., a bill to set apart and incorporate the county of Oconto,

Were concurred in.

The following resolution, to wit;

Resolved by the Senate (the assembly concurring.) that the Senate and assembly will meet in joint convention on the 12th inst. at eleven o'clock A. M. for the purpose of electing three Commissioners of the Board of Public Works, and a

Register of the State Land Office and a Treasurer of the board of Public Works.

Being under consideration,

And the question on concurring therein,

Mr. Price moved to amend the same, by striking out the word "twelfth" and inserting the word "fifth,"

Which was disagreed to.

The question on concurrence in the said resolution,

Was then put,

And decided in the affirmative.

The following bills, to wit: said bills No. 42, and 47, *a.*,

Were severally taken up, read a third time, passed, and the titles agreed to.

Said bill No. 30, *a.*, was read a third time, and the question being on the passage thereof,

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Cavney, Clothier, Cone, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lowth, Moore, Moorman, Murphy Muzzy, Olmstead Osborne, Price, Rodolf, Rogan, Seaver, Smith, Spooner, Stock, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Whitton, Wilson, Wing and Horn (Speaker) —51.

The title of said bill was agreed to.

Said bill No. 50, *a.*, was read a third time.

And the question on the passage thereof,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Bradley, Briggs, Cavney, Cole, Dick, Doran, Eastman- Easton. Everly. French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Moore, Moor-

man, Murphy, Muzzy, Olmstead, Osborne, Price, Rodolph, Rogan, Seaver, Smith, Spooner, Stock, Tinker Tompkins, Tregakis, Utley, Van Vliet, Vincent, Waldo, Whitton, Wilson, Wing and Horn (Speaker)—54.

Mr. Clothier voted in the negative—1.

The title of said bill was agreed to,

Said memorial No. 2, *a.*, was read a third time and passed,

And the title thereof agreed to.

No. 24, *a.*, a bill to amend chapter 112 of the Revised Statutes,

Was then taken up.

And the question on the adoption of the substitute for said bill, reported by a committee of the whole,

Mr. Jenkins moved to amend section 2, of said substitute by striking out all after the words "answer to," in the fourth line, and insert the following :

"Deny the existence at the time of the making of the affidavit required to be annexed to the writ, of any one or more of the material facts, which shall be stated in the affidavit, whether such fact be stated upon the knowledge or belief of the deponent, or otherwise."

Which was disagreed to,

Mr. Rodolf moved to amend said section by striking out the word 'ten,' and inserting the word 'fifty,'

Which was disagreed to.

Mr. Doran moved to amend said substitute by striking out section 1 thereof,

Which was agreed to.

Mr. Doran moved further to amend said substitute by striking out all of the 4th section thereof, after the word 'released,' in the fourth line of said section, and inserting as follows :

"And the suit dismissed at the plaintiff's cost ;"

Which was agreed to.

The said substitute, so amended,

Was then adopted.

The question then being on ordering said bill,

No. 24, *a.*, to be engrossed and read a third time,

Mr. Jenkins moved that the further consideration thereof be postponed until to-morrow:

Which was agreed to;

On motion of Mr. Briggs, Mr. Jones had leave of absence for one week.

On motion of J. B. Johnson.

The assembly adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The rules having been suspended for the purpose,

Mr. Lowth introduced the following resolution;

"Resolved, That the State Printer be and he is hereby instructed to furnish the legislature with the requisite number of the printed copies of the State Superintendent's Report immediately.

And the rules having first been suspended for the consideration of said resolution,

It was considered and adopted.

Mr. Jenkins called for the special order of the day, to wit: the consideration of

No. 20, *a.*, a bill to submit the question of Bank or no Bank;

And the assembly having agreed to proceed to the consideration thereof,

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole, for that purpose.

Mr. Doran in the chair.

And after some time spent therein, the committee rose, and by their chairman reported said bill,

Without amendment.

The question being on ordering said bill to be read a third time,

Mr. Spooner moved that the further consideration thereof be postponed until Monday next, and that it be made the special order for that day.

Which was disagreed to.

On motion of Mr. Wilson,

The further consideration of said bill was postponed till Monday, the 17th inst. and it was made the special order for that day.

On motion of Mr. Briggs,

The assembly then resolved itself into committee of the whole, for the consideration of the general file of bills.

Mr. Briggs in the chair.

And after some time spent therein, the committee rose, and by their chairman, reported bills

No. 56, *a.*, a bill to legalize the assessment and collection of taxes, in the town and county of Marathon.

No. 46, S., a bill to repeal an act entitled, "an act to organize the town of Monticello, in the county of La Fayette.

And No. 49, S., in relation to public printing;

Without amendment, and

No. 11, *a.*, a bill to amend section 25, of chap. 10 of the Revised Statutes.

No. 43, *a.*, a bill to establish the pay of the Sergeant-at arms and others in his employ.

No. 32. S., an act to amend an act entitled, "an act to authorize Clauden Stoughton and Luke Stoughton to build and maintain a dam across Rock river. and also to authorize Anson W. Pope and Virgil Pope to build and maintain a dam across said stream, approved April 7, 1843, and

No. 47, *a.*, a bill to provide for the laying out of a state road in the county of Brown,

Without amendment.

And also reported progress on the general file of bills,

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

And the question being on ordering said bill No. 56, *a.*, to be engrossed and read a third time,

Mr. Spooner moved to strike out the 1st section of said bill.

Which was disagreed to.

And the question recurring on ordering said bill to be engrossed and read a third time,

It was decided in the affirmative.

The question being on ordering said bill No. 46, S., to be engrossed and read a third time,

On motion of Mr. Cole,

It was referred to the committee on town and county organization.

The question being on concurring in the amendment of the committee of the whole, to said bill No. 11. *a.*, which was to strike out all after the enacting clause thereof.

Mr. Spooner moved that said bill and the petitions relating to the subject thereof, be referred to the committee on town and county organization,

Which was disagreed to.

And the ayes and noes being called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Bird, Bjornsen, Boyce, Briggs, Clothier, Doran, Eastman, Everly, Hale, Lessey, Malmros, Moore, Moorman, Muzzy, Rodolf, Rogan, Spooner, Stock, Tregaskis, Utley, Wilson and Horn, (Speaker.)—23.

Those who voted in the negative were

Meessrs. Barnett, Biddlecome, Bradley, Cavney, Chase, Cole, Dick, Easton, French, Fuller, Gifford, Groot, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lowth, Olmstead, Osborne, Perkins, Price, Seaver,

Smith, Tohl, Tompkins, Van Vliet, Vincent, Waldo, Whitton and Wing—33.

Mr. Bird moved that said bill be laid on the table.

Which was disagreed to.

The question was then put on concurring in the amendment made in committee of the whole to said bill,

And decided in the affirmatiue.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bradley, Cavney, Chase, Clothier, Cole, Dick, Doran, Easton, French, Fuller, Gifford, Groot, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lowth, Malmros, Muzzy, Olmstead, Osborne, Perkins, Price, Seaver, Smith, Stock, Tohl, Tompkins, Van Vliet, Vincent, Waldo, Whitton, Wilson, and Wing—40.

Those who voted in the negative were,

Messrs. Bird, Bjornsen, Boyce. Briggs, Eastman, Everly, Hale, Lessey, Moore, Moorman, Rodolf, Rogan, Spooner. Tregaskis, Utley, and Horn (Spesker)—16.

Mr. Barnett moved that said bill be laid on the table.

Which was agreed to.

The question being on concurring in the amendment of the committee of the whole to said bill No. 34, *a.*,

Mr. Biddlecome moved that the further consideration of said bill be indefinitely postponed.

Which was agreed to.

The amendments of the committee of the whole to said bill No. 32 S.

Were concurred in.

And the question being on ordering said bill to be read a third time,

Mr. Spooner moved that the futher consideration of said bill be indefinitely postponed ;

Which was disagreed to.

On motion of Mr. Doran,

The further consideration of said bill was postponed till Tuesday, the 19th inst., and it was made a special order for that day.

Said bill No. 49, S., was ordered to be read a third time.

The amendments to said bill No. 47, S.,

Were concurred in.

And the question being on ordering said bill to be read a third time,

Mr. Rodolf moved that the said bill be amended by striking therefrom the second section;

Which was disagreed to.

And the said bill was ordered to be read a third time.

Mr. Wilson moved that bill,

No. 14, *a.*, a bill to limit the quantity of land hereafter to be held or owned by any one person,

Be taken from the general file of bills, and made the special order of the day for Monday the 17th instant:

Which was agreed to.

A message from the Senate. by William Hull, Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate has concurred in the passage of

No. 91, *a.*, a bill to appropriate to David E. Wood the sum therein named.

Without amendment.

And has passed

No. 60, S., a bill to appropriate to Bro. Wesley Lattin the sum therein named;

In which the concurrence of the assembly is requested.

On motion of Mr. Doran,

The assembly adjourned.

TUESDAY, Feb. 4, 10 o'clock, A. M.

Prayer by the Rev. Mr. Lord.

The journal of yesterday was read and approved,

The speaker laid before the assembly a communication from the circuit clerk of Washington county, in reference to fines imposed and collected in criminal prosecutions, since the organization of state government.

Which was referred to the committee on ways and means.

And also, announced the following select committees:

On the matter of the division of Iowa and Grant counties, and the erection of a new county from parts of the same,

Messrs Smith, Rogan, Cole, Jones and Malmros.

On

No. 126, a.. a bill submitting the question of extension of the rights of suffrage to a vote of the people,

Messrs Hale, Spooner, and Seaver.

A message from the Senate, by William Hull, Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that Senate has passed,

No. 61, S., a bill to vacate a part of the town plat of the village of Rockport in the county of Rock;

No. 62, S., a bill to vacate a part of the town plat of Miltimores addition to Janesville;

No. 70, S., a bill to attach certain territory therein named to the county of Brown;

No 59, S., a bill granting pre-emption rights to settlers upon the even numbered sections of land on the Fox river reserve.

No. 67, S., a bill to vacate a part of the town plat of the village of Dunkirk Falls Dane county;

And,

No. 68, S., a bill to amend an act entitled an act to incorporate the city of Kenosha;

In which the concurrence of the assembly is requested.

Petitions and remonstrances were presented and severally referred, as follows:

By Mr. Stock,

The petition of John Hutchinson and 65 others, citizens of the town of Germantown, for the repeal of the present liquor law, and for a law in favor of license;

Referred to committee on charitable and religious institutions.

By Mr. Eastman,

The petition of W. H. Emmons and other citizens of Neenah, for the passage of a law granting pre-emption rights to settlers on even numbered sections of the Fox river reservation;

Referred to committee on state lands.

Also,

The remonstrance of Amanuel Pickett and other citizens of Winnebago county, against the laying out of a state road therein named;

And,

The remonstrance of N. F. Beckwith and others, against laying out a state road from Ceresco to Oshkosh,

Referred to committee on roads and bridges.

By Mr. Lowth,

The petition of Edmund Sweeney and 14 others of school district No. 2, in the town of Clyman Dodge county for a share of the public school money of said town.

Referred to committee on education and school lands.

Also,

The petition of Emanuel Sweeney and 23 others for the submission of the bank question.

Referred to committee on incorporations.

By Mr. Everly,

The petition of citizens of the town of Wayne, Washington county, asking the Legislature to memorialize Congress for a weekly mail route from West Bend in said county to the said town of Wayne.

Referred to the committee on roads and bridges.

By Mr. Van Vleit,

The petition of sundry citizens of the town of Yorkville, Racine county, for the removal of the county seat of said co. to said town, and for the submission of the matter to a vote of the people of said county at next April election:

Referred to committee on privileges and elections.

By Mr. Clothier,

The petition of Benjamin Piper and 55 others, for the passage of a law limiting the rate of interest of money not to exceed 12 per cent.,

Referred to Judiciary committee.

By Mr. Spooner,

The petition of P. Baxter and 30 others for the removal of the county seat of Racine county.

Referred to committee on town and county organization.

By Mr. Tinker.

The petition of Francis McComber and 24 others, of the town of Burlington, Racine county, for a law providing for the removal of the county seat to the town of Yorkville in said county, and for the submission of the matter to a vote of the electors of said county,

Also,

The petition of Samuel C. Russ and 38 others,

And,

The petition of S. E. Chapman and 103 others, of said county.

With a like prayer.

All of which were referred to committee on town and county organization.

By Mr. Bradley,

The petition of J. Whitney and 59 others, of Columbia co.,

for the translation of the Revised Statutes into the English language.

Referred to committee on judiciary.

By Mr. Vincent,

The petition of O. S. Hall and others, for the pasage of a law to restrict the rate of interest to 7 per cent per annum.

Referred to judiciary committee.

By Mr. Barnett,

The petition of Jeremiah Wilbur and 50 others. to change the name of the town of Ceresco, Fond du Lac.

Referred to committee on town and county organization.

By Mr. Wilson,

The petition of Wm. A. Prentiss and 16 others, of the city of Milwaukee, for the submission of the banking question to the people.

Referred to committee on incorporations.

Bills were introduced on leave granted, severally read the first and second times, and referred as follows:

By Mr. Moorman, bill

No. 134, *a.*, a bill to lay out and open a state road from Depere, in Brown county, to Willow river in St. Croix co.

Referred to committee on roads and bridges.

By Mr. Bradley, bill

No. 35, *a.*, a bill to incorporate the Beloit and Fort Winnebago railroad company.

Referred to committee on incorporations.

By Mr. Lessey, bill

No. 136, *a.*, a bill to attach a portion of Brown county to the county of Winnebago.

Referred to committee on town and county organization.

By Mr. Moore, bill

No. 137, *a* bill to incorporate the Port Washington and Fond du Lac plank road company.

Referred to committee on incorporations.

By Mr. Lowth, bill

No. 138 *a.*, a bill for laying out a state road in the county

of Dodge;

Also, bill

No. 39, *a.*, a bill for laying out a state road therein described;

Both of which were referred to committee on roads and bridges.

By Mr. Bird, bill

No. 140, *a.*, a bill to change the name of Sarah Rape to Sarah Vroman.

By Mr. Rodolf, bill

No. 141, *a.*, a bill granting to John Coombs, and Thomas Andrew the right to keep and maintiain a ferry across the Wisconsin river, in the town of Richwood in the county of Richland.

Referred to committee on incorporations,

By Mr. Malmros, bill

No. 142, *a.*, a bill to incorporate the Manitowoc and Mississippi Railroad company.

Referred to committee on incorporations,

Mr. Bird gave notice for leave to introduce a bill to provide for the location and sale of the lands donated to the State of Wisconsin for the purpose of enlarging the Capitol at Madison and for enlarging the same.

Mr. Whitton introduced the following resolution:

Resolved, That the chief clerk shall make out a list containing six numbers of bills which may come first in order, to be considered in committee of the whole each day, and that said list be laid upon the Speakers desk every morning at nine o'clock,

Mr. Rodolf offered the following resolution:

Resolved, That the person employed to take care of the offices about the Capitol be instructed to see that they are kept in a proper condition of cleanliness, and to make such sanitory arrangements concerning the same as are at this time requisite.

Mr. Ladue submitted certain resolutions connected with

the report submitted by him yesterday, in relation to the "Fugitive Slave Law," and the subject of slavery.

Which were read, and

Ordered to be printed with said report.

Mr. Jenkins, from the committee on incorporations, to whom the same was referred, reported back bill

No. 112, *a*, a bill to incorporate the Palmyra and Jefferson plank road company,

Without amendment.

And recommend the passage thereof.

Mr. Barnett, from the committee on charitable and religious institutions, to whom the same was referred, reported back bill,

No. 111, *a.*, a bill for the prevention and punishment of disorderly practices.

Without amendment;

And recommend its passage.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled the following bills:

No. 4, *a.*, a bill to authorize the construction of a bridge across the Fox river at Depere.

No. 21, *a.*, a bill to amend an act entitled "an act, providing for the sale of the school section in the city of Racine,"

No. 91, *a.*, a bill to appropriate to David E. Wood the sum therein named,

No. 15, S., a bill to amend the law in relation to the action of ejectment,

No. 25, S., a bill to amend section 11, of "an act for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal," approved Aug. 8, 1848.

No. 28, S. a bill to authorize Richard McGoon to construct and maintain a dam across the Pieatonica river in Lafayette county.

No. 3, S., a bill to amend chapter 15 of the Revised Statutes, and to prescribe the manner in which delinquent tax lands bid off by the counties shall be taxed.

No. 40, S., a bill to appropriate to the legal representatives of Jackson Richardson deceased a certain sum of money,

And,

No. 41, S., a bill to appropriate to Emory Healy a certain sum of money.

Which said enrolled bills were severally signed by the speaker.

And were thereupon transmitted to the Senate.

Mr. Lowth, from the commmittee on education and school lands, reported bills,

No. 143, *a.*, a bill to legalize the organization and acts of school district No. 4, in the town of Grand Chute, in the county of Brown, and to change the name of the same.

And,

No. 144, *a.*, a bill for the relief of the town of Depere in the county of Brown.

Which were severally read the first and second time.

Mr. Lessey moved that all rules be suspended for the present consideration of said bill No. 144, *a.*, and that it be read a third time now.

Which was agreed to.

And said bill was read a third time, passed, and the title thereof agreed to.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bills,

No. 18, *a.*, a bill relating to hawkers and pedlars.

No. 57, *a.*, a bill to authorize Josiah H. Dart to build and maintain a bridge across Fox river.

No. 68. *a.*, a bill to appropriate to Fratney & Herzberg the sum of fifty dollars.

And,

No. 69, *a.*, a bill to change the name of the town of Olio, in Sheboygan county.

Mr. Tohl, from the committee on roads and bridges, reported bill

No. 145, *a.*, a bill to provide for laying out and establishing several state roads therein named.

Which was read the first and second time.

And also, from same committee, reported back bills,

No. 102, *a.*, a bill to lay out a state road from the village of Madison, in the county of Dane, to the quarter stake on section no. 36, town no. 9 north, of range no. 2, east, in the county of Richland,

And,

No. 109, *a.*, a bill to provide for repairing bridges across Rock river in the county of Rock, and for other purposes therein mentioned.

Without amendment.

And recommended their passage.

Mr. Rodolf, on leave granted, introduced bill,

No. 146, *a.*, a bill to divide the counties of Iowa and Grant, and to establish the county of Franklin.

Which was read the first and second time.

And referred to the select committee on that subject.

The following resolution, to wit :

Resolved, (the senate concurring,) That the Governor be instructed to cause to be erected, previous to the next session of tle legislature, proper apparatus for warming the senate and assembly chambers, in accordance with the plan adopted in the University buildings,

Was taken up, considered, and adopted.

The following resolution, to wit :

Resolved by the assembly, (the senate concurring,) That no new business shall be received at this session of the legislature, after the 15th day of Feb. inst., at 12 o'clock M., and that the 25th inst., be fixed for the final adjournment of this legislature,

Being under consideration,

Mr. Walker moved that it be laid on the table.

Which was agreed to.

And the ayes and noes being called for hnd ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Doran, Eastman, Everly, Fuller, Gifford, Groot, Hale, Hemenway, H. Johnson, Julius, Kinney, Ladue, Lowth, Malmros, Moorman, Muzzy, Olmstead, Seaver, Smith, Spooner, Stock, Tinker, Tohl, Utley, Van Vliet, Walker and Whitton—36.

Those who voted in the negative, were,

Messrs. Chase, Clothier, Cole, Dick, Easton, French, Henning, Hulburt, Jenkins, J. B. Johnson, Lessey, Moore, Perkins, Price, Rodolf, Rogan, Tompkins, Tregaskis, Vincent, Waldo, Wilson, Wing, and Horn, (Speaker,)—23.

Mr. Doran introduced the following preamble and resolutions:

Whereas, the twenty-third section of the act entitled an act to provide for the improvement of the Fox and Wisconsin, rivers: Provided that the board of public works shall annually submit to the governor a full statement of the condition of the improvements on said rivers; and whereas Caleb Crosswell, Esq., one of the commissioners of said board has neither joined in the report of his associate commissioners, nor submitted a minority report, therefore,

Resolved, That said commissioner, be, and is hereby requested to report as soon as practicable, to the assembly, his reasons for not signing said report, and to give a full statement of all the points of difference between himself and associate commissioners, touching the improvements assigned to them, and that he furnish such a report in fact as he would feel disposed to do, if he were the sole commissioner.

Resolved, That the chief clerk of this assembly be, and he is hereby instructed to furnish said commissioner, Crosswell with a copy of the foregoing preamble and resolution.

And the rules having first been suspended for the purpose,

Said preamble and resolutions,

Were considered and adopted.

Mr. Spooner moved that bill,

No. 2, *a.*, a bill relating to the interest of money,

Be taken from the table,

And referred to the Judiciary committee.

Which was agreed to.

The message from the senate was taken up for consideration, and bills

No. 59, S., a bill granting pre-emption rights to settlers upon the even numbered sections of land on the Fox River Reserve.

No, 60, S., a bill to appropriate to Rev. Wesley Lattin the sum therein named.

No. 61, S., a bill to vacate part of the town plat of the village of Rockport in the county of Rock.

No. 62, S., a bill to vacate part of the town plat of Miltimore's addition to Janesville.

No, 67; S., a bill to vacate part of the town plat of the village of Dunkirk Falls, Dane, Co.

No: 68, S., a bill to amend an act entitled, "an act to incorporate the city of Kenosha," and

No. 70, S., a bill to attach certain territory therein named, to the county of Brown;

Were severally read the first and second time.

On motion of Mr. Tompkins,

Said bill No. 60, S., was referred to committee on claims.

On motion of Mr. Malmros,

Said bill No. 70 S., was referred to the committee on town and county organization,

The following bills, to wit:

No. 47, S., a bill to provide for the laying out of a State road in the county of Brown; and,

No. 49, S., a bill in relation to public printing;

Were severally read a third time, passed,

And the titles thereof agreed to.

Said bill No. 13, *a.*, was read a third time;

And the question being on the passage thereof,

Mr. Bannister moved that it be referred to a select committee.

Which was agreed to.

The speaker appointed Messrs. Bannister, Bird and Rodolf such committee.

The following bills, to wit:

Said bills, No. 57, and 69, *a.*, were severally taken up, read a third time and passed.

And the titles thereof agreed to.

Said bill No. 68, *a.*, was read a third time.

And the question being on the passage thereof,

Mr. Bird moved that said bill be laid on the table.

Which was agreed to.

And the ayes and noes being called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Bird, Bjornsen, Bradley, Briggs, Clothier, Cole, Dick, Everly, Fuller, Gifford, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson. Kinney, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Rogan, Seaver, Spooner, Stock, Tinker, Tompkins, Utley, Van Vliet and Wing—36.

Those who voted in the negative were,

Messrs. Barnett, Biddlecome, Boyce, Chase, Doran, Eastman, Easton, French, Groot, Henning, Julius, Ladue, Lessey, Lowth, Malmros, Moore, Smith, Toll. Tregaskis, Waldo' Walker, Whitton, Wilson, and Horn (Speaker,)—24.

No. 24, *a.*, a bill to amend chapter 112 of the Revised Statutes,

Was taken up.

And the question being on ordering said bill to be engrossed and read a third time,

Mr. Doran moved that the vote by which the assembly concurred in the substitute to said bill reported by a committee of the whole,

Be reconsidered.

Which was agreed to.

And the question being on concurring in said substitute,

Mr. Rodolf moved that they be referred to a select committee.

Which was disagreed to.

Mr. Doran moved that said bill and substitute

Be recommitted to the Judiciary committee.

Which was disagreed to.

Mr. Doran moved to amend said substitute by striking out the 6th section thereof.

Which was disagreed to.

Mr. Wing moved that the consideration of said bill and substitute be indefinitely postponed.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bird, Chase, Dick, Everly, Fuller, Gifford, Hale, Henning, Hulburt, H. Johnson, Julius, Muzzy, Olmstead, Osborne, Rogan, Seaver, Stock, Utley and Wing—21

Those who voted in the negative were,

Messrs. Bannister, Barnett, Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Cavney, Cole, Clothier, Doran, Eastman, Easton, French, Hemenway, Jenkins, J. B. Johnson, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Perkins, Price, Rodolf, Smith, Spooner, Tinker, Toll, Tregaskis, Tompkins, Vincent, Waldo, Walker, Whitton, Wilson, and Horn (Speaker)—40:

Mr. Biddlecome moved that said bill and substitute be re-committed to the judiciary committee.

And the questien being on agreeing to said motion.

Mr. Doran moved to amend the same, by adding thereto, "with instructions to perfect the bill according to the amendments already adopted."

Which was disagreed to.

The question on the motion to re-commit said bill and substitute to the judiciary committee,

Was then put,

And decided in the affirmative.

Mr. Bannister moved that the vote by which the Assembly laid on the table, bill

No. 20. *a*., a bill to submit the question of bank or no bank,

And made the same the special order of the day for the 17th instant, be re-considered;

And pending the question on said motion,

Mr. Tohl moved that the assembly adjourn till 2 o'clock P. M.;

Which was disagreed to.

Mr. Olmstead moved that the assembly adjourn;

Which was disagreed to.

And the ayes and noes being called for and ordered,

Those who voted in the affirmative, were

Messrs Bradley, Briggs, Cavney, Cole, Gifford, Groot, Henning, Moorman, Olmstead, Osborne, Price and Tregaskis —12.

Those who voted in the negative, were

Messrs Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Chase, Clothier, Cone, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Julius, Kinney, Ladue, Lessey, Malmros, Moore, Murphy, Muzzey, Perkins, Rogan, Seaver, Smith, Spooner, Stock, Tohl, Tompkins, Utley, Van Vleit, Vincent, Waldo, Whitton, Walker, Wilson, Wing and Horn (Speaker)—47.

Mr. Tohl moved that the Assembly adjourn till 3 o'clock P. M.

Which was disagreed to,

Mr. Price demanded the previous question

Which was not seconded.

The question on said motion to reconsider

Was then put,

And decided in the affirmative.

And the ayes and noes having been called for, and ordered

Those who voted in the affirmative were

Messrs Bannister, Bjornsen, Chase, Clothier, Cone, East-

man, Easton, Everly Fuller, Gifford, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Kinney, Ladue, Lowth, Malmros, Moore, Muzzy, Perkins, Rogan, Smith, Stock, Utley, Van Vleit, Vincent, Waldo, Walker, Wing and Horn (Speaker) —32.

Those who voted in the negative, were

Messrs Barnett, Biddlecome, Bird, Boyce, Bradley, Briggs, Cavney, Cole, Dick, Doran, French, Groot, Henning, J. B. Johnson, Julius, Lessey, Moorman, Murphey, Olmstead, Osborne, Price, Rodolf, Seaver, Spooner, Tohl, Tompkins, Tregaskis, Whitton and Wilson—29.

The question then being on ordering said bill to be engrossed and read a third time,

Mr. Rogan moved that the Assembly adjourn till 2 o'clock P. M.

Which was disagreed to.

On motion of Mr. Tompkins,

The assembly adjourned till 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The question pending being on ordering said bill No. 20, *a*, to be engrossed and read a third time,

Mr. Bannister moved a call of the assembly,

Which was ordered;

And the roll having been called,

Messrs Bjornsen, Doran, Tregaskis and Walker,

Were reported absent.

And thereupon the sergeant-at-arms was directed to procure their attendance.

The sergeant-at-arms having returned and reported the above named gentlemen present,

Mr. Spooner moved that said bill be laid on the table, and made the special order of the 12th instant, at 6 o'clock P. M.

Which was agreed to;

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Barnett, Biddlecome, Boyce, Bradley, Briggs, Cavney, Clothier, Cone, Dick, Everly, French, Groot, Hemenway, J. B. Johnson, Julius, Lowth, Moore, Moorman, Muzzy, Olmstead Perkins, Rodolf, Seaver, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Vincent, Whitton and Wilson—32.

Those who voted in the negative, were

Messrs Bannister, Bird, Bjornsen, Chase, Cole, Doran, Eastman, Easton, Fuller, Gifford, Hale, Henning, Hulburt, Jenkins, H. Johnson, Kinney, Ladue, Lessey, Malmros, Murphy, Price, Rogan, Smith. Stock, Utley, Van, Vleit, Waldo, Walker, Wing and Horn (Speaker)—30.

No. 42, S., a bill to pay David T. Dickson the sum therein named,

Was taken up and ordered to be read a third time.

No. 44, *a.*, a bill to provide for the labor of prisoners.

Was taken up,

And the question being on ordering the said bill to be engrossed and read a 3d time;

Mr Spooner moved that all after the enacting clause be stricken out,

Which was agreed to.

And said bill was laid on the table.

A message from the Senate, by Wm. Hull Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that Senate has concurred in the 1st, 2d, 3d, 4th, 6th and 7th amendment of the Assembly to,

No. 43, S., a bill to incorporate the Potosi and Dodgeville railroad company,

And has non-concurred in the 8th amendment of Assembly to said bill, which was,

Amend sec. 16, by striking out the words "as they shall from time to time think reasonable," and insert, "as the Legislature shall from time to time prescribe."

Mr. Spooner moved that said bill No. 44, *a*, be laid on the table,

Which was agreed to,

On motion of Mr. Jenkins,

The assembly then resolved itself into committee of the whole, for the consideration of bill

No. 29, S., a bill to incorporate the Green Bay, Milwaukee and Chicago Railroad company.

Mr. Chase in the chair;

And after some time spent therein the committee rose, and by their chairman reported said bill

With amendments.

The amendments of the committee to said bill,

Were concurred in.

The question then being on ordering said bill to be read a third time,

Mr. Chase moved to amend the same by adding the following section:

Section 13. The said company shall make and forever keep up good and substantial fences on each side of the said road through all cultivated fields on the route of said road:

And the question on the adoption of said amendment;

Was put,

And decided in the affirmative;

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bjornsen, Boyce, Cavney, Cole, Dick, Easton, Everly, French, Fuller, Gifford, Groot, Hemenway, Henning, J. B. Johnson, Julius, Kinney, Lowth, Moor-

man, Muzzy, Price, Rodolf, Rogan, Stock, Tohl, Tregaskis, Whitton and Wilson—31.

Those who voted in the negative were

Messrs Biddlecome, Bird, Bradley, Briggs, Doran, Eastman, Hale, Hulburt, Jenkins, H. Johnson, Ladue, Lessey, Malmros, Moore, Murphy, Olmstead, Smith, Spooner, Tompkins, Utley, Van Vleit, Vincent, Waldo, Wing and Horn (Speak-)r—26.

Mr. Bjornsen moved further to amend said bill, by adding to the 8th section thereof, the following proviso:

Provided, That none of said arbitrators so chosen, shall be of kin to any of the parties, or be in any wise interested on any bill;

Which amendment was adopted.

Said bill was then ordered to be read a third time.

Mr. Bannister, from the committee on enrolled bills, reported as follows:

The committee on enrolled bills have this day presented to the governor for his approval,

An act to amend an act entitled an act to provide for the appraisal and sale of school lands and for granting pre-emptions thereon, approved February 9, 1850.

An act to extend the time for collecting taxes in the town of Brooklin, Sauk county.

An act to appropriate to Emory Healy a certain sum of money.

An act to authorize Richard H. McGoon to construct and maintain a dam across the Picatonica river in Lafayette county.

An act to appropriate to the legal representatives of Jackson Richardson deceased, a certain sum of money.

An act to amend chapter 15 of the revised statutes, and to prescribe the manner in which delinquent tax lands bid off by the counties shall be taxed.

An act to amend section 11 of an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting

the same by a canal approved Aug. 8, 1848,

An act to amend the law in relation to the action of ejectment,

An act to amend an act providing for the sale of the school section in the city of Racine,

An act to authorize the construction of a bridge across the Fox river at Depere.

An act to appropriate to David E. Wood the sum therein named.

Mr. Walker moved that bill

No. 54, S., a bill relating to the Milwaukee and Mississippi Railroad company;

Be taken up,

Which was agreed to.

And all rules having been suspended,

Said bill was read a third time, passed,

And the title thereof agreed to.

Mr. Chase; the rules having first been suspended for the purpose, introduced bill,

No. 147, *a.*, a bill to appropriate the several sums therein named,

Which was read the 1st and 2d time.

Mr Chase moved that all rules be suspended for the furthe consideration of said bill, and that it be read a third time now.

Which was disagreed to.

On motion of Mr. Hemenway,

The assembly adjourned.

WEDNESDAY, Feb. 5, 10, A. M.

Prayer by Rev. Mr. Lattin.

Pending the reading of the journal of yesterday,

Mr. Boyce moved that the further reading thereof be dispensed with.

Which was agreed to.

The speaker laid before the assembly a communication from the circuit clerk of Kenosha County, in relation to the amount of fines imposed, and the amount collected in criminal prosecutions since the organization of state government;

Referred to committee on ways and means.

Petitions were presented and severally referred, as follows:

By Mr. Vincent,

The petition of J. E. Culver. J. T. Smith, A. P. Blakeslee, and others, for a tax on dogs;

Referred to committee on agriculture and commerce.

Also,

The petition of J. E. Culver, S. G. Baldwin and others, for the submission of the question of banks or no banks to the people;

Referred to committee on incorporations.

Also,

The petition of James Vincent and others, for a law suppressing the sale of intoxicating liquors as a beverage:

Referred to committee on charitable and religious institutions,

Also,

Sundry petitions, for a restriction of the rate of interest of money;

Referred to committee on judiciary.

By. Mr. Eastman,

The petition of Geo. F. Wright and others, for a grant to build a bridge across Fox river at Oshkosh ;

Referred to committee on roads and bridges.

Also,

The petition of Peter Meiklejohn and others, for a new county from that part of Winnebago lying west of the Wolf river ;

Referred to committee on town and county organization.

By Mr. H. Johnson,

The petition of inhabitants of the town of Pike, in the county of Kenosha, for a change of the name of said town to Somers ,

Also,

Sundry petitions, for a law suppressing the sale of intoxicating liquors, excepting for mechanical and medicinal purposes ,

Referred to committee on charitable and religious institutions,

Also,

The petition of John W. McKoy and 44 others, for a law fixing the rate of interest at 7 per centum ;

Referred to committee on judiciary.

Also,

Resolutions of the Farmers Club of Kenosha county, in relation to a department of agriculture in the state University, and a state agricultural society ;

Referred to committee on agriculture and commerce.

By Mr. Henning,

The petition of board of supervisors of St. Croix county, for relief ;

Referred to committee on claims.

Also,

Resolutions passed by the citizens of St. Croix Falls, Jan. 13, 1851 :

Referred to committee on agriculture and commerce.

By Mr. Stock,

The petition of John Hutchinson and 73 others, citizens of the town of Germantown, for a limitation of the present exemption law ;

Referred to committee on judiciary.

By Mr. Clothier,

The petition of Isaac Lawton and 47 others, on the subject of land limitation ;

Referred to the select committee on that subject.

By Mr. Wing,

The petition of A. B. Curtis, Davenport Rood and others, citizens of Jefferson, for the reduction of the price of the University land, and the early sale of the same ;

Referred to committee on University and University lands.

By Mr. Hale,

The petition of G. I, Pease and 43 others, voters of the town of Salem, Kenosha county, for the submission of the question of banks or no banks to the people ;

Referred to committee on incorporations.

Also,

Sundry petitions for a law suppressing the sale of intoxicating liquors ;

Referred to committee on charitable and religious institutions.

By Mr. Tompkins,

The petition of Isaac Andrews, for the passage of a usury law ;

Read and referred to committee on judiciary.

Also,

The petition of John M. May and 60 others, for the passage of a law to raise a tax for the purpose of building a suitable school house for the accommodation of school district no. 4, in the town of Janesville and Harmony, Rock county ;

Referred to committee on education and school lands.

By Mr. Van Vliet,

The petition of James Root and 30 others, of Columbia

county, asking to be let off from said county and attached to the county of Sauk ;

Referred to committee on town and county organization.

By Mr. Toll,

The petition of Field Ashworth and 6 others, to authorize the treasurer of school district no. 5, in the county of Washington, to collect the delinquent taxes in said district ;

Referred to a select committee of three.

By Mr. Utley,

The petition of C. M. Mann, and 150 others, for the submission of the bank question;

Referred to committee on incorporations.

By Mr. Chase,

Sundry petitions from inhabitants of Milwaukee county, for the submission of the bank question ;

Referred to committee on incorporations.

By Mr. Hemenway,

The petition of inhabitants of Walworth county, for the submission of the bank question ;

Referred to committee on incorporations.

By Mr. Biddlecome,

Sundry petitions and remonstrances in relation to the division of Grant county ;

Referred to the select committee on that subject.

Mr. Lessey presented the account of Albert G. Ellis vs. the state ;

Referred to committee on claims.

Mr. Spooner, on leave granted, introduced bill

No. 148, *a.*, a bill relating to the sale of mortgaged premises :

Which was read the first and second times,

And referred to committee on judiciary.

Mr. Henning, from the committee on engrossed bills, reported as correctly engrossed, bills,

No. 35; *a.*, a bill to provide for the more speedy collec-

tion and payment of fines, forfeitures, and penalties remaining in the hands of justices of the peace.

No. 36, *a.*, a bill to amend an act entitled "an act to authorize Eliphalet S. Miner and Henry Clinton to improve the navigation of the Grand Rapids in the Wisconsin river, approved January 29, 1847.

No. 45, *a.*, a bill to provide for making returns of elections in towns, to the clerk of the board of supervisors of the county.

No. 52, *a.*, a bill to incorporate the Packwaukee bridge company.

No. 53, *a.*, a bill to amend an act entitled, "an act to incorporate the Racine and Rock River plank road company, approved March 6th, 1848.

No. 56, *a.*, a bill to legalize the assessment and collection of taxes in the town and county of Marathon.

No. 58, *a.*, a bill to amend section 9, of chapter 131, of title 29, of part 3, of the Revised Statutes.

No. 64, *a.*, a bill to amend the act incorporating the Sheboygan and Mayville plank road company.

And,

M. No. 4, *a.*, a memorial to Congress, for the establishment of a mail route from Prescott to Falls of St. Croix.

Mr. Biddlecome, from the Judiciary Committee to whom the same was referred, reported back the substitute for bill,

No. 24, *a.*, a bill to amend chapter 112 of the Revised Statutes:

Without amendment.

Mr. J. B. Johnson, from the committee on enrolled bills, reported as correctly enrolled, bills

No. 29, *a.*, a bill to pay F. P. Catlin the sum therein named;

No. 39, *a.*, a bill to change the name of Sarah Dyer to Sarah Whiting;

And,

No. 70, *a.*, a bill to extend the time for the collection of taxes in the town of Green Lake.

Which said enrolled bills were severally signed by the speaker of the assembly.

The following resolution. to wit :

Resolved, That the Chief Clerk shall make out a list containing six numbers of bills which may come first in order, to be considered in committee of the whole each day, and that said list be laid upon the speaker's desk every morning, at nine o'clock,

Was taken up, considered and adopted.

Mr. Lowth moved that all rules be suspended, and that bill

No. 147, *a.*, A bill to appropriate the sums therein named,

Be taken up and read a third time ;

Which was agreed to.

Said bill was read a third time :

And the question being on the passage thereof,

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Cone, Easton, Everly, French. Fuller, Gifford, Groot, Hale, Hemenway, Jenkins, H. Johnson, Julius, Kinney, Ladue, Lowth, Malmros, Moorman, Murphy, Price, Ray, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Utley, Van Vliet, Vincent, Waldo, Wilson and Horn (speaker)—41.

Those who voted in the negative, were

Messrs. Biddlecome, Clothier, Dick, Henning, Hurlburt, J. B. Johnson, Lessey, Moore, Olmstead, Osborne, Perkins, Rogan, Seaver, Tregaskis, Whitton and Wing—16.

The title of said bill was agreed to.

Said bill No. 24, *a.*, was then taken up, and the substitute for said bill reported back from the Judiciary committee,

Was ordered to be engrossed and read a third time.

A message from the Senate, by William Hull, Esq., their Chief Clerk,

Mr. Speaker,

I am directed to inform you that Senate has passed:

No. 56, S., A bill to incorporate the Watertown and Waterloo Plank Road Company.

No. 69 S., a bill to incorporate the Fox and Wisconsin river Plank Road Company.

No. 73, S., a bill to appropriate to Moritz Shoeffler the sum therein named,

And

No. 76, S., a bill to extend the corporate limits of the city of Kenosha;

In which the concurrence of the Assembly is requested.

The following memorial and bills, to wit:

Said M. No. 4, and said bills No. 35, 36, 45, 52, 56, 58, and 64. *a.*,

Were severally read a third time, passed, and the titles agreed to.

Said bill, No. 53, A, was read a 3rd time,

And the question being on the passage thereof,

Mr. Ray moved that it be laid on the table:

Which was not agreed to.

The question was then put upon the passage of said bill,

And decided in the affirmative.

The title of said bill was agreed to.

No. 42, S., a bill to pay David T. Dickson the sum therein named.

Was read a third time,

And the question on the passage thereof,

Was decided in the affirmative,

Those who voted in the affirmative, were

Messrs Barnett, Biddlecome, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hemenway, Henning, Hulburt, H, Johnson, J. B, Johnson, Julius, Kinney, Ladue,

Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Vincent, Waldo, Whitton, Wilson Wing and Horn (Speaker)—56.

Messrs Hale and Van Vleit voted in the negative.—2

No. 29, S., a bill to incorporate the Green Bay, Milwaukee and Chicago Railroad company:

Was read a third time and passed;

And the question being on agreeing to the title thereof,

Mr. Ladue moved to amend the same by inserting the word "Sheboygan," after the words "Green Bay,"

Which was agreed to.

Mr. Utley moved further to amend the same, by inserting the word "Racine," after the word "Milwaukee,"

Which was agreed to.

Mr. H. Johnson moved further to amend the same, by inserting the word "Kenosha," after the word "Racine,"

Which was agreed to.

Mr. Malmros moved further to amend the same by inserting after the words "Green Bay," the word "Manitowoc,"

Which was agreed to.

Mr. Chase moved further to amend the same, by inserting after the word "Sheboygan," the words "Port Washington and Cedarburg,"

Which was agreed to.

The question was then put upon the title as amended,

And decided in the negative.

The question being put on the original title,

It was agreed to.

On motion of Mr. Spooner,

The assembly then resolved itself into committee of the whole, for the consideration of the file of bills, in which progress had been made by a committee of the whole,

Mr. Ladue in the chair,

And after some time spent therein,

The committee rose and by their chairman, reported bill No. 38, S., a bill relating to the assessment and taxation of real and personal property,

With amendments,

And also reported progress on the said file of bills,

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being underc onsideration,

The amendments to said bill No. 38, *a.*,

Were concurred in:

And the question being on ordering said bill to be engrossed and read a third time,

Mr. Rogan moved to amend the same by striking out the second section,

Which was disagreed to.

Mr. Chase moved that said bill be referred to a select committee of three,

Which was agreed to.

On motion of Mr. Murphy,

No. 63, *a.*, a bill to amend chapter 82 of the Revised Statutes,

Was taken from the said file of bills,

And referred to the judiciary committee.

On motion of Mr. Tinker,

The Assembly then resolved itself into committee of the whole for consideration of the general file of bills,

Mr. Eastman in the chair.

And after some time spent therein,

The committee rose and by their chairman reported bill

No 17, S., a bill to amend chapter 12 of title 4, of the Revised Statutes;

Without amendment, and

No. 5, S., a bill to authorize the Milwaukee and Janesville plank road company to build branch roads,

With an amendment,

And also reported progress on the general file of bills, and asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bill No. 17. S., was ordered to be read a third time.

The question being on concurring in the amendment of the committee to said bill, No. 5, S.,

Mr. Bird moved that the assembly adjourn,

Which was disagreed to.

On motion of Mr. Tompkins,

The assembly adjourned till 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The question pending being on concurring in the amendment of the committee of the whole to said bill No. 5. S.,

Mr. Ray offered the following substitute for said amendment:

Amend by inserting after the word "from" in the 9th line in section 1, the words "the village of East Troy by the way of"

Which said substitute was adopted.

The question then being on ordering said bill to be read a third time,

Mr. Spooner moved to amend the same, by striking out all after the word "Mukwonago," in section 1, and inserting the words "to Eagleville in the county of Waukesha aforesaid;"

Which was agreed to.

Said bill was then ordered to be read a third time.

The message from the senate was then taken up,

And the question being whether the Assembly would recede from their amendment to the 16th section of bill

No. 43, S., a bill to incorporate the Potosi and Dodgeville railroad company;

By which amendment the words "as they shall from time to time think reasonable," were stricken out, and the words "as the legislature shall from time to time prescribe," inserted,

It was decided in the affirmative.

Mr. Barnett on leave granted, introduced bill

No. 159, *a.*, a bill to provide for the election of county treasurers,

Which was read the first and second times, and referred to committee on the judiciary.

Mr. Ladue on leave granted, introduced bill

No. 150, *a.*, a bill for the relief of Sheboygan county.

Which was read the first and second time, and referred to the same committee.

Mr. J. B. Johnson, from the committee on enrolled bills reported as correctly enrolled, bills

No. 22, *a.*, a bill to amend chapter 139, of title 33. of part 4, of the Revised statutes,

And,

No. 51, *a.*, a bill to amend an act to provide a block of marble to be placed in the National Monument at the city of Washington;

Which said enrolled bills were severally signed by the speaker.

On motion of Mr. Tompkins,

Mr. Bannister had leave of absence for 1 week.

On motion of Mr. Rogan,

Mr. Rodolf had leave of absence.

A message from the Senate by Wm. Hull, Esq., their chief clerk :

Mr. Speaker—

I am directed to inform you that Senate has non-concurred in the amendment of Assembly to bill

No. 47, S., a bill to provide for the laying out of a state road in the county of Brown.

On motion of Mr. Henning,

The assembly adjourned.

THURSDAY, Feb. 7, 10 o'clock, A. M.

Pending the reading of the Journal of yesterday.

On motion of Mr. Rogan,

The further reading thereof was dispensed with.

The Speaker laid before the Assembly communications, one from the Circuit clerk of Grant county, and one from the circuit clerk of Fond du Lac county, in relation to the amount of fines imposed, and the amount collected in criminal prosecutions since the organization of state government.

Which were referred to committee on ways and means.

And, also, announced the following select committees;

On bill,

No. 38, *a.*, a bill relating to the assessment and taxation of personal and real property:

Messrs Chase, Biddlecome and Spooner.

On the petition of citizens of School Distriet No. 5, in Richfield, Washington co.

Messrs Tohl, Moorman and Everly:

Petitions were presented and severally referred, as follows:

By Mr. Bird:

The petition of Wm. H. Fox and 38 others, citizens of Dane county, for the passage of a law regulating the rate of interest;

Referred to committee on Judiciary,

By Mr. Eastman;

The petition of Elijah D. Ranney and others for a state road in the county of Winnebago;

Referred to committe on roads and bridges.

By Mr. Estabrook;

Sundry petitions in relation to the removal of the county seat of Racine county;

Also,

By Mr. Tinker,

Sundry petitions in relation to the same subject:

All of which were referred to committee on Town and county Organization.

By Mr. Estabrook;

The petition of James J. Dewey and others, for the establishment of a law limiting the rate of interest;

Referred to committee on judiciary.

By Mr. Barnett,

The petition of Dana Lamb and others, for the submission of the bank question:

Referred to committee on incorporations.

By Mr. Tompkins:

The petition of D. McKee and 100 others, for a law to exempt improvements on land, to the value of five hundred dollars from taxation:

Referred to the select committee to whom was referred said bill No. 38 A.

Mr. Bird presented the account of J. H. Lewis vs. the territory of Wisconsin;

Referred to committee on claims,

Bills were introduced, on leave granted, severally read the first and second time, and referred, as follows:

My Mr. Moorman, bill

No. 151, *a.* a bill to change the time for making assessments and collection of taxes in the county of Portage.

Referred to committee on judiciary,

And,

No. 152, *a* a bill to lay out and establish a certain road therein named.

Referred to committee on roads and bridges.

By Mr. Smith, bill

No. 153, *a.*, a bill to authorize the laying out of a state road therein named.

Referred to committee on roads and bridges,

Also,

No. 154, *a.*, a bill to authorize the laying out of a state road therein named.

Referred to same committee.

By Mr. Moore, bill.

No. 155, *a.*, a bill to incorporate the Milwaukee and Lisbon Plank road or turnpike company,

Referred to committee on incorporations.

By Mr. Cone, bill

No. 156, *a.*, a bill to amend sec. 70, chapter 16, of title 6, of the Revised Statutes.

Referred to committee on judiciary.

By Mr. Utley, bill

No. 157, *a.*, a bill to amend an act concerning the fees of certain officers and other persons,

Referred to committee on judiciary,

By Mr. Vincent, bill

No. 158, *a.*, a bill to abolish flogging in schools,

Referred to committee on Medical Societies.

Mr. Estabrook, on leave granted, introduced bill

No. 159, *a.*, a bill to vacate certain lots in the village of Saukville, Washington county,

Which was read the first and second times.

On motion of Mr. Estabrook,

All rules were suspended for the purpose, and said bill No. 159, *a.*, was read a third time, passed,

And the titles therof agreed to.

Mr. Chase introduced the following resolution:

Resolved, that the Librarian be and he is hereby requested to furnish the several assistant clerks of this house with a knife and pen, and such other stationery as may be necessary for the transaction of their business.

Mr. Jenkins, from the committee to whom the same were referred, reported back bills

No. 124, *a.*, a bill to authorize the construction of a dam across the Picatonica river in Lafayette county.

No. 141, *a.*, a bill granting to John Coumbs and Thomas Andrews the right to keep and maintain a ferry across the Wisconsin river in the town of Richwood in the county of Richland,

And

No. 142, *a.*, a bill to incorporate the Manitowoc and Mississippi railroad company;

Without amendment,

And,

No. 137, *a.*, a bill to incorporate the Port Washington and Fond du Lac plank road company;

With amendment;

And recommended the passage of said bills No. 137, and 142, *a.*,

Also, that said bill No, 124 *a.*, be referred to the committee on internal improvements;

And said bill No. 141 *a.*, be referred to the committee on roads and bridges,

Said bills No. 124 and 141 *a.*, were referred accordingly.

Mr. Henning, from the committee on engrossed bills, reported as correctly engrossed, bill

No. 24, *a.*, a bill to amend chapter 112 of the Revised Statutes, relative to proceedings in attachment.

Mr. J. B. Johnson, from the committee on enrolled bills, reported as correctly enrolled, bills

No. 40, *a.*, a bill to set apart and incorporate the county of Oconto;

No. 54, S.; a bill relating to the Milwaukee and Mississippi railroad company.

And,

No. 49, S., a bill in relation to public printing:

Which said enrolled bills were severally signed by the Speaker of the assembly.

And thereupon were transmitted together with the bills and memorial signed by the Speaker yesterday, to the senate.

Mr. Lowth, from the committee on Education and school lands, to whom was referred bill

No. 23, *a.*, a bill to amend Chapter 19, of title 7, of part 1, of the Revised Statutes,

With amendments,

And also, as to the petition of E. A. Hall and 15 others of Iowa county, and the petition of Hiram McKee and others of Winnebago county, which were referred to said committee, reported that the wants of the petitioners had, in the opinion of the committee been provided for by the act for apportioning the school moneys for the year 1851.

The speaker laid before the assembly the following communication from the Governor:

EXECUTIVE DEPARTMENT,
MADISON. Feb. 4, 1851.

To the Assembly—

I have this day, approved, signed and deposited in the office of the Secretary of State, acts entitled as follows:

"An act to authorize the construction of a bridge across the Fox river at Depere,"

"An act to amend an act entitled an act providing for the sale of the School Section in the city of Racine."

"An act to extend the time for collecting taxes in the town of Brooklyn, Sauk county,"

And,

An act to amend an act to provide for the appraisal and sale of School lands and for granting pre-emptions thereon, approved February 9, 1850,"

(Signed) NELSON DEWEY.

The message from the senate was then taken up,

And the following bills, to wit:

No. 56, S, a bill to incorporate the Watertown and Waterloo Pland road company.

No. 69, S., a bill to incorporate the Fox and Wisconsin River plank road company.

No. 73, S., a bill to appropriate Mortz Shoeffler the sum therein named.

And,

No. 76, S., a bill to extend the corporate limits of the village of Madison;

Were severally read the first and 2d time.

Mr. Jenkins moved that bill

No. 1, *a.*, a bill to incorporate the city of Milwaukee,

Be taken from the table,

And referred to a select committee to consist of the members from Milwaukee city,

Which was agreed to.

No. 5, S., a bill to authorize the Milwaukee and Janesville plank road company to build branch roads;

Was taken up, read a third time, passed,

And the title thereof agreed to.

No. 17, S., a bill to divide the county of Brown and create the county of Outagamie,

Was read a third time.

On motion of Mr. Lessey,

The further consideration of said bill No. 17 S., was postponed for one week.

Said bill No 24, *a*,, was read a third time, passed,

And the title thereof agreed to.

Mr. Jenkins moved that the assembly resolve itself into committee of the whole, for the consideration of bill

No. 24, *a.*, a bill to limit the quantity of land hereafter to be held or owned by any one person,

Which had been made the special order for today.

The motion was agreed to.

And the assembly resolved itself into committee of the whole, for the consideration of said bill,

Mr. Estabrook in the chair,

And after some time spent therein, the committee rose and by their chairman reported said bill

With amendments.

A message from the Senate, By Wm. Hull, Esq., their chief clerk;

Mr. Speaker—

I am directed to inform you that Senate has concurred in the passage of

Mem. No. 2, *a.*, Memorial to congress asking a donation of land for the improvement of the mouth of Black river.

No. 47, *a.*, a bill to to change the course and width of 2nd street in the village of Whitewater, and

No, 50, *a.*, a bill to appropriate to King & Fuller the sum therein named.

Without amendment.

And has passed

Mem. No. 4, S.. memorial to Congress for the repeal or modification of the Fugitive Slave Law ;

In which the concurrence of assembly is requested.

The report of the committee of the whole being under consideration,

And the question being on concurring in the amendments of the committee to said bill No. 14, *a.*,

Mr. Chase moved that the assembly adjourn until half past two P. M.

Which was disagreed to.

Mr. Boyce moved that the assembly adjourn until 3 o'clock P. M.

Which was disagreed to.

Mr. Rogan moved that the assembly adjourn.

Which was disagreed to,

Mr. Chase moved a call of the assembly.

And the roll having been called,

Messrs. Doran and Eastman were reported absent.

On motion of Mr. Barnett,

Further proceedings under the call were dispensed with.

Mr. Rogan moved that the assembly adjourn until 3 o'clock P. M.

Which was disagreed to.

Mr. Fuller moved that the assembly adjourn until 3 o'clock P. M.

Which was disagreed to.

Mr. Tompkins demanded the previous question,

Which was ordered.

And the question being, "shall the main question be now put?"

Mr. Chase moved that the assembly adjourn.

Which was disagreed to.

The question then recurring on the putting of the main question,

It was decided in the affirmative.

And the ayes and noes being called for and ordered,

Those who voted in the affirmative were,

Messrs. Barnett, Biddlecome, Bjornsen, Bradley, Cavney, Cole, Cone, Dick, Easton, Estabrook, French, Gifford, Groot, Hale, Hemenway, Hurlburt, Jenkins, Julius, Kinney, Lessey. Lowth, Malmros, Moorman, Murphy, Muzzy, Osborne, Perkins, Price, Ray, Seaver, Smith, Snover, Stock, Tinker, Toll, Tompkins, Tregaskis, Utley, Vincent, Whitton, Wilson and Wing—43.

Those who voted in the negative were,

Messrs. Bird, Boyce, Briggs, Chase, Clothier, Everly, Ful-

ler, H. Johnson, J. B. Johnson, Moore, Rogan, Spooner, Van Vliet, Waldo and Horn (Speaker)—15.

The main question, which was on concurring in the amendments made in committee of the whole to said bill No. 14, *a.*,

Was put.

And decided in the affirmative.

The question then being on ordering said bill to be engrossed and read a third time,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Barnett, Bjornsen, Bradley, Cavney, Cole, Cone, Dick, Easton, Everly, Estabrook, Gifford, Groot, Hale, Hemenway, Henning, Hurlburt, Jenkins, Julius, Kinney, Lessey, Lowth, Malmros, Murphy, Muzzy, Price, Ray, Seaver, Snover, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Whitton and Wilson—39.

Those who voted in the negative, were

Messrs. Biddlecome, Bird, Boyce, Briggs, Chase, Clothier, French, Fuller, H. Johnson, J. B. Johnson, Moore, Osborne, Perkins, Rogan, Smith, Spooner, Wing, Waldo, and Horn, (Speaker,)—19.

On motion of Mr. Cole,

Mr. Olmstead had leave of absence,

On motion of Mr. Utley,

Mr. Ladue had leave of absence.

On motion of Mr. Cone,

The assembly adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

A message from the Senate, by William Hull, Esq., their chief clerk :

Mr. Speaker—

I am directed to inform you that Senate has concurred in the 1st, 2nd, 5th, 6th, 7th, 8th, 9th, 10th, and 11th amendments, of assembly to

No. 29, S., a bill to incorporate the Green Bay, Milwaukee and Chicago rail road company ;

And have concurred in

The 3rd, 4th and 12th amendments of assembly to said bill.

On motion of Mr. Ray,

The assembly resolved itself into committee of the whole, for the consideration of bills in which progress had been made by committee of the whole ;

Mr. Bird in the chair.

And after some time spent therein, the committee rose, and by their chairman reported

M. No. 6, S., a memorial to Congress in relation to Fort Crawford ;

And the following bills :

No. 45, S., a bill to amend chapter 127 of the Revised Statutes.

No. 58, S., a bill to extend the corporate limits of th village of Madison.

No. 61, S., a bill to vacate a part of the village plat of Rockport, in the county of Rock.

No. 62, S., a bill to vacate a part of the town plat of Miltimore's addition to the village of Janesville.

No. 67, S., a bill to vacate a part of the town plat of the village of Dunkirk Falls, Dane Co.

No. 68, S., a bill to amend an act entitled "an act to incorporate the city of Kenosha.

No. 72, *a.*. a bill to authorize the construction of a dam across the Milwaukee river.

No. 75, *a.*, a bill to regulate the distribution of the school fund.

No. 83, *a.*, a bill to amend an act authorizing the laying out of a state road.

Without amendment.

And,

No. 18, S., a bill to set apart and incorporate Door county.

No. 59, S., a bill granting pre-emption rights to settlers upon the even numbered sections of land on the Fox River Reserve.

No. 54, *a.*, a bill to remit the interest on canal bonds and mortgages therein mentioned.

No. 59, *a.*, a bill making an appropriation for the payment of Canal bond No. 54.

No. 80, *a.*, a bill to amend an act, entitled, an act to incorporate the Winnebago Lake and Fox river road company.

And

No. 85, *a.*, a bill to prevent the killing of deer in certain months of the year.

With amendments.

And also reported progress upon the said file of bills.

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said memorial No. 6, S., and said bills No. 45, 58, 61, 67, 68, S.,

Were severally ordered to be read a third time.

Said bills No. 72, 75, 80, and 83 *a.*, were severally ordered to be engrossed and read a third time.

The amendments of the committee of the whole to said bill No. 18, S., and 59, and 60, *a.*,

Were concurred in.

And said bill No. 18, S., was ordered to be read a third time.

Said bills Nos. 59, and 60 *a.*, were severally ordered to be engrossed and read a third time.

The amendments of the committee of the whole to said bill No. 45, *a.*,

Were concurred in.

Mr. Wing moved further to amend the 1st section of said bill by substituting for the words "first of May," the words, "tenth day of June,"

Which was agreed to.

Mr. Chase moved to amend the second section of said bill by inserting after the word "Gazette," the word "Volksfreund."

Which was agreed to.

Mr. Wilson moved further to amend the second section by inserting after the word 'Volksfreund,' the words 'Wisconsin Banner,"

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Biddlecome Bird, Bjornsen, Boyce, Bradley, Cavney, Chase, Clothier, Dick, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Osborne, Ray, Rogan, Seaver, Smith, Snover, Stock, Tinker, Tohl, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Whitton, Wilson, Wing and Horn, (Speaker,) —52.

Those who voted in the negative, were

Messrs. Barnett, Briggs, Cole, Cone, Price and Spooner —6.

Mr. Spooner moved further to amend the 2nd section by inserting after the words 'Wisconsin Banner,' the words 'Free Democrat.'

Which was agreed to.

The said bill was then ordered to be engrossed and read a third time.

Said bill No. 85. *a.*, was recommitted to the committee on privileges and elections.

The amendments of the committee to said bill No. 59 S.,

Were concurred in.

The question being on ordering said bill No. 59, S., to be read a third time,

Mr. Wilson moved to amend the same by adding to the 4th section the following proviso :

Provided, however. that no person shall be entitled to pre-emption under the provisions of this act, who is the owner of 160, acres of land, or more within this state.

Which was agreed to.

On motion of Mr. Bird,

Said bill No. 75, S.. was laid on the table.

On motion of Mr. Biddlecome,

The rules were suspended for the further consideration of said bill No. 75, *a.*; and

Said bill was read a third time, passed,

And the title thereof agreed to.

A message from the Senate, by Wm. Hull Esq., their chief clerk.

Mr. Speaker :

I am directed to inform you that Senate has passed

No. 147, *a.*, a bill to appropriate the several sums therein named,

With amendments.

No. 147, *a.*, was taken from the Senate message, S.

And the amendments of the senate, as follows :

Sec. 4 There is hereby appropriated to the chief clerks of the senate and assembly each, $100 as a contingent fund for extra engrossing and enrolling, for which they shall account at the close of the session, to the proper committees of their respective houses ;

Was concnrred in.

Mr. Whitton introduced the following resolution .

Resolved, That a joint committee consisting of the com-

mittee on education and school lands of both houses, be directed to inquire into and report as to the expediency of so amending chapter 24 of the Revised Statutes, as to direct the payment of interest on school and University lands, and the interest on money loaned from the school fund, so that it may be paid into the hands of county treasurers, to be paid by such treasurers into the state treasury at the time of paying the state tax due from the several counties.

Mr. Gifford, on leave granted, introduced bill

No. 160, *a.*, a bill to protect Prairie Chickens and Quails,

Which was read the first and second times.

And referred to committee on privileges and elections.

Mr. Snover, from the committee on town and county organization, reported bill

No. 161, *a.*, a bill to change the name of the town of Ceresco in the county of Fond du Lac ;

Which was read the first and second times.

Mr. J. B. Johnson, from the committee on enrolled bills, submitted the following report :

The committee on enrolled bills respectfully report that they did on the 6th inst. present to His Excellency. the governor, for his signature,

An act to amend chapter 139, of title 33, of part 4, of the Revised Satutes.

An act to extend the time for the collection of taxes in the town of Green Lake, Marquette county.

An act to appropriate to F. P. Catlin the sum therein named.

An act to amend an act to provide a block of marble or granite, to be placed in the National Monument at the city of Washington, approved Feb. 9th, 1850.

An act to change the name of Sarah Dyer to Sarah Whiting.

An act to set apart and incorporate the county of Oconto.

An act in relation to the public printing.

An act relating to the Milwaukee and Mississippi rail road company.

J. B. JOHNSON, Committee.

On motion of Mr. Van Vliet.

The assembly adjourned.

FRIDAY, Feb. 7th, 10, A. M

Prayer by the Rev. Mr. Lattin.

Pending the reading of the journal of yesterday :

On motion of Mr. Cone,

The further reading thereof was dispensed with.

Petitions and remonstrances were presented and severally referred, as follows :

By Mr. Tompkins,

The petition of John Spaulding, William Spaulding and 75 others, for the passage of a law to restrict the rate of interest of money, so that it shall not exceed 12 per centum ;

Referred to committee on judiciary.

By Mr. Kinney,

The petition of James Boynton and others, for a law restricting the rate of interest of money ;

Referred to judiciary committee.

Also,

The petition of sundry citizens of Rock county, for the submission of the bank question ;

Referred to committee on incorporations.

By Mr. Bird,

The petition of John Frederick, for relief ;

Referred to committee on roads and bridges.

By Mr. H. Johnson.

The petition of Allen G. Murray and others, citizens of Rock county, for a tax on dogs ;

Also,

The petition of John Perrine and 32 others, for the same object ;

Referred to committee on agriculture and commerce.

By Mr. Tinker,

The petition of Chas. D. Topping and 108 others, of Jefferson county, for the enactment of a law suppressing the sale of intoxicating drinks as a beverage ;

Referred to committee on charitable and religious institutions.

By Mr. Bradley,

The remonstrance of Stephen Brayton and others, against the legislature's authorizing the laying out of a state road from Fountain Prairie to Watson's Ferry, in Columbia county ;

Referred to committee on roads and bridges.

By Mr. Jenkins.

The remonstrance of M. G. Jennings and 164, other citizens of the second ward of Milwaukee, against the passage of the bill now pending in this honorable body to abolish the punishment of death for the crime of murder ;

Referred to committee on charitable and religious institutions.

Bills were introduced, on leave granted, severally read the first and second time, and referred, as follows :

By Mr. Chase, bill

No. 162, *a.*, a bill to provide for the election of county treasurers ;

Referred to committee on judiciary.

By Mr. Eastman, bill

No. 163, *a.*, a bill to attach a certain territory therein named to the town of Bloomingdale ;

Referred to committee on town and county organization.

By Mr. Murphy, bill

No. 164, *a.*, a bill to amend section 1, of chap. 43, of the Revised Statutes;

Referred to a select committee of three.

By Mr. Cone, bill

No. 165, *a.*, a bill to amend section 16, chap. 134, title 30, part 4, of the Revised Statutes;

Referred to committee on judiciary.

The following resolution being under consideration, to wit:

Resolved That a joint committee consisting of the committee on education and school lands of both houses, be directed to inquire into and report as to the expediency of so amending chapter 24 of the Revised Statutes, as to direct the payment of interest on school and University lands, and the interest on money loaned from the school fund, so that it may be paid into the hands of county treasurers, to be paid by such treasurers into the state treasury at the time of paying the state tax due from the several counties.

Mr. Whitton moved to amend the same by inserting after the word, 'Resolved,' the words 'the Senate concurring.'

Which was agreed to,

And said resolution, as amended, was adopted.

Mr. Henning, from the committee on engrossed bills, reported as correctly engrossed, bill

No. 14, *a*, a bill to limit the quantity of land to be held or owned by any one person.

Mr. J. B. Johnson, from committee on enrolled bills, reported as correctly enrolled, bill

No. 42, S., a bill to pay David T. Dickson the sum therein named.

No. 13, *a.*, a bill for the apportionment of school moneys for the year 1851.

And

No. 147, *a.*, a bill to appropriate the several sums therein named.

Which said enrolled bills were severally signed by the speaker of the assembly,

And were thereupon transmitted to the senate.

Mr. Jenkins, from the committee on incorporations, to whom the same was referred, reported back bill

No. 155, *a.*, a bill to incorporate the Milwaukee and Lisbon plank road or turnpike company.

Without amendments.

And recommended the passage thereof.

Mr. Moore, from the committee on State Prison, to whom was referred bill

No. 125, *a.*, a bill to provide for the erection and location of a State Prison,

Submitted a report in relation to the subject of a State Prison ;

And also, a substitute for said bill.

A message from the Governor, by George P. Delaplaine, Esq., his private secretary :

EXECUTIVE DEPARTMENT,
Madison, Feb. 6, 1851.

To the Assembly :

I have this day approved, signed and deposited in the office of the Secretary of State, acts entitled as follows :

An act to amend Chapter 139 of title 33, of part 4, of the Revised Statutes.

An act to extend the time for the collection of taxes in the town of Green Lake, Marquette county.

An act to appropriate to F. P. Catlin the sum therein named.

An act to amend an act to provide a block of marble or granite to be placed in the national monument at the city of Washington, approved Feb. 9th, 1850.

An act to change the name of Sarah Dyer to Sarah Whiing.

An act to set apart and incorporate the county of Oconto;

(Signed,) NELSON DEWEY.

The messages from the senate were then taken up and considered.

Mem. No. 4, S., memorial to Congress for the repeal or modification of the Fugitive Slave Law.

Was read the first and second times.

The amendments of the assembly to bill,

No. 29, S., a bill to incorporate the Green Bay, Milwaukee and Chicago rail road company.

Which were not concurred in by the senate, to wit:

The third amendment to said bill, which was,

Amend 1st section by striking out the name of 'F. B. Stoddard' and inserting the name of 'Warren Smith.'

The 4th amendment, which was,

Insert in section 2, after the word 'Grafton,' the words 'or Cedarburgh, or both.'

And

The 12th amendment of assembly to said bill, which was to add a new section, as follows:

Sec. 13. The said company shall make and forever keep up, good and substantial fences on each side of said road through all cultivated fields or which may hereafter become cultivated on the route of said road;

Being again under consideration,

The assembly refused to recede from the same.

The amendment of the assembly to bill

No. 47, S., a bill to provide for the laying out of a state road in the county of Brown.

Which amendment was not concurred in by the senate, was again considered.

And the assembly refused to recede from the same.

The following memorials and bills, to wit:

M. No. 6, S., a memorial to Congress in relation to Fort Crawford,

And the following bills:

No. 45, S., a bill to amend chapter 127 of the Revised Statutes;

No. 58, S., a bill to extend the corporate limits of the village of Madison;

No. 61, S., a bill to vacate a part of the village plat of Rockport, in the county of Rock;

No. 62. S., a bill to vacate a part of the town plat of Miltimore's addition to the village of Janesville;

Were taken up, severally read a third time, passed and the titles thereof agreed to.

No. 59, S., a bill granting pre-emption rights to settlers upon the even numbered sections of land on the Fox river Reserve,

Was read a third time.

And the question being on the passage thereof,

Mr. Wilson, on unanimous leave of the assembly, proposed the following amendment:

Amend the proviso to the last section by adding as follows:

Except such persons as shall have made such settlement or improvement as described above prior to the passage of this act;

Which was adopted.

The question on the passage of said bill,

Was then put,

And decided in the affirmative.

The title of said bill was agreed to.

No. 67, S., a bill to vacate a part of the town plat of the village of Dunkirk Falls, Dane co.

Was read a third time, and the question being on the passage thereof,

Mr. Wilson moved that it be laid on the table;

Which was not agreed to.

The question on the passage of said bill,

Having been put,

Was decided in the affirmative.

And the title of said bill was agreed to.

No. 68, S., a bill to amend an act entitled "an act to incorporate the city of Kenosha.

Was read a third time and passed.

The question being on agreeing to the title of said bill,

Mr. H. Johnson moved to amend the same by adding thereto as follows :

"Approved Feb. 8, 1850."

Which was agreed to.

And the title of said bill as amended,

Was agreed to.

No. 14, *a.*, a bill to limit the quantity of land to be held or owned by any one person.

Was then taken up,

And read a third time

And the question being on the passage thereof, Mr. Spooner moved that the said bill be laid on the table, and made the special order of the day for Tuesday next.

Which was not agreed to.

Mr. Vincent moved that the vote by which the assembly refused to lay the said bill on the table, and make it the special order of the day for Tuesday next,

Be reconsidered.

Which was agreed to.

And the question being on agreeing to the motion to lay said bill on the table, and make it the special order for that day, was put,

And decided in the affirmative.

On motion of Mr. Biddlecome,

The assembly then resolved itself into committee of the whole, for the consideration of the file of bills, in which progress had been made by a committee of the whole,

Mr. Jenkins in the chair.

And after some time spent therein, the committee rose and by their chairman reported bills

No. 86, *a.*, a bill to legalize the organization and acts of

school district No. 2, in the town of Newark. in Rock county.

No. 87, *a*,, a bill to legalize the organization and acts of school district No 1, in the town of Plymouth, Rock county ;

No. 89, *a*., a bill to appropriate H. Van Dusen the sum therein named ;

No. 90, *a*., a bill to provide for the time of holding county courts in the county of Marathon.

No. 104, *a*., a bill to authorize J. & G. Tomlinson to construct a mill race in the village of Port Washington ;

No. 105, *a*., a bill to provide for laying out and establishing a state road from Token Creek to Fort Winnebago ;

And,

No. 106, *a*., a bill to lay out and establish a state road therein described ; also,

M. No. 3, *a*., a memorial to Congress in relation to the improvement of the Portland Canal, in the state of Kentucky.

And,

M. No. 5, *a*., a memorial to the President of the United States.

Without amendment, and bill

No. 28, *a*., a bill to authorize Richard H. McGoon to construct and maintain a dam across the Peckatonica river in La Fayette county ;

With amendments.

And also reported progress on the said file of bills,

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bills No. 86, 87, 89, 90, 104, 105, 106, *a*., and said memorial No. 3, *a*.,

Were severally ordered to be engrossed and read a third time.

The amendments of the committee to said bill No. 28, *a*.,

Were not concurred in.

And the question being on ordering said bill to be engrossed and read a third time,

Mr. Wilson moved to amend the same by striking from the 1st section the names of Commissioners and inserting as follows:

Joseph A. Hoover, E. B. Wolcott, Harrison Ludington, Byron Kilbourn, John H. Tweedy, Thomas L. Ogden, H. D. Heide, Charles E. Jenkins, E. M. Hunter, John L. Doran, D. A. J. Upham, Elisha Starr, Mathias Stein and William W. Brown.

Which was agreed to.

The said bill was then laid on the table, and the further consideration thereof postponed for the present.

On motion of Mr. Spooner, said memorial No. 5, *a*, was recommitted to the committee of the whole.

A message from the Senate, by Wm. Hull, Esq., their chief clerk;

Mr. Speaker—

I am directed to inform you that Senate has passed,

No. 48, S., a bill to appropriate to Robert L. Ream the sum therein named.

No. 64, S., a bill to amend an act entitled "an act granting to Marcus Warren and Moses S. Calkins the right to keep and maintain a ferry across the Wisconsin river," and

No. 86, S., a bill to establish the Baraboo Academy.

In which the concurrence of the assembly is requested.

And has concurred in the passage of,

No. 36, *a.*, a bill to amend an act entitled "an act to authorize Eliphalet S. Miner, and Henry Clinton to improve the navigation of the Grand Rapids in the Wisconsin river, approved January 29th, 1847."

No. 45, *a.*, a bill to provide for making returns of the elections in towns to the clerk of the board of supervisors of the county;

No. 56, *a.*, a bill to legalize the assessment and collection of taxes in the town and county of Marathon; and

No. 69, *a.*, a bill to change the name of the town of Olio, in Sheboygan county.

Without amendments.

On motion of Mr. Jenkins,

The assembly adjourned.

SATURDAY, Feb. 8th,—10 A. M.

Prayer by the Rev. Mr. Lord.

Pending the reading of the Journal of yesterday:

On motion of Mr. Hulburt,

The further reading thereof was dispensed with.

The speaker laid before the assembly a communication from the Circuit Clerk of Sauk Co., relating to the amount of fines imposed, and the amount collected in criminal prosecutions, since the organization of State government.

Which was referred to the committee on Ways and Means.

On motion of Mr. Lowth,

Similar communications which were referred to the committee on Education and School lands, were referred to the committee on Ways and Means.

The speaker announced as a select committee on bill

No. 164, *a.*, A bill to amend section 1 of chap. 45 of the Revised Statutes;

Messrs. Murphy, Stock and Eastman.

On motion of Mr. Moorman,

The petition of E. A. Hall was referred to the committee on Education and School Lands.

Petitions and remonstrances were presented and severally referred, as follows :

By Mr Wing,

The petition of E. D. Seward and others, citizens of Lake Mills, praying the enactment of a law for the suppression of the traffic in ardent spirits as a beverage ;

Referred to committee on charitable and religious Institutions.

By Mr. Doran,

The petition of many inhabitants of the valley of the Fox River, for an investigation of the actings and doings of the commissioners of the Fox and Wisconsin River Improvement, &c.

Referred to the joint select committee on that subject.

By Mr. Bird,

The petition of citizens of Fort Winnebago, relating to the county seat of Columbia Co.

Referred to committee on town and county organization.

By Mr. Cole.

The remonstrance of John Reed and 50 others, of the town of Monticello, Lafayette county.

Referred to committee on town and county organization.

By Mr. Wilson,

The petition of Samuel Pashley, D. A. J. Upham, Wm. P. Lynde and 270 others, of Milwaukee city, for a land limitation law.

Also,

Of J. P. Greves and 100 others with a like prayer,

Referred to the select committee on that subject.

By Mr. Barnett,

The petition of the citizens of the town of Ceresco, for the consideration of the bank question.

Referred to committee on incorporations.

By Mr. Tompkins,

The petition of Wm. Comstock and 100 others, for an ex-

emption of improvements on land, to the value of Five Hundred dollars, from taxation.

Referred to committee on Ways and Means.

By Mr. Eastman,

The petition of A. W. Avery and other citizens of Winnebago county, for a charter to build a bridge across Wolf river at Winneconna.

Referred to committee on roads and bridges.

By Mr. Tinker,

The petition of T. J. Thompson and forty others of the State of Wisconsin for a law suppressing the sale of intoxicating liquors as a beverage.

Referred to committee on charitable and religious institutions.

By Mr. Barnett,

The petition of Supervisors of the town of Metomen.

Referred to a select committee, to wit:

Messrs. Barnett, Ray and Briggs.

Also,

The petition of Isaac Pope and others of the said town of Metomen, in relation to a certain road therein named.

Referred to a select committee.

Bills were introduced, on leave granted, severally read the first and second times, and referred as follows:

By Mr. Tompkins, bill No. 166, *a.*, a bill to amend the Charter of the Rock River Valley Union Rail Road Company.

Referred to a select committee of three, to wit:

Messrs. Tompkins, Eastman and Lowth.

Mr. Waldo on leave granted, introduced bill

No 167, *a.*, a bill to authorize the laying out of a state road in Marquette and Brown counties

Which was read the first and 2d times.

And all rules having been suspended for the purpose, said bill was read a third time, passed,

And the title thereof agreed to.

Bills were further introduced, on leave granted, severally read the first and second times and referred as follows:

By Mr. Bird, (agreeably to previous notice) bill

No. 168, *a.*, a bill in relation to the improvement of the Capitol.

Referred to a select committee of three as follows :

Messrs Bird, Tompkins and Clothier.

By Mr. Doran, bill

No. 169, *a.*, a bill to amend an act entitled "an act to provide for the continuation of the Lisbon and Milwaukee Plank road from Watertown to Madison, "passed March 1st, 1848.

Referred to committee on Internal improvements.

Also, bill

No. 170, *a.*, a bill concerning sales for taxes,

Referred to the committee on Judiciary.

Mr. Murphy, from the committee on University and University lands, reported bill

No. 171, *a.*, bill to provide for the appraisal and sale of University lands and granting pre-emption thereon,

Which was read the first and second times.

Mr. Barnett, from the committee on charitable and religious institutions, reported bill

No. 172, *a.*, a bill to prohibit the sale of intoxicating liquors,

Which was read the first and second times,

On the second reading of said bill no. 172, *a.*, Mr. Chase objected to said bill,

And the question "shall this bill be rejected?"

Having been put,

It was decided in the negative.

Mr. Tompkins moved that said bill be referred to the select committee on the subject thereof,

Which was disagreed to.

Mr. Estabrook, from the committee on Judiciary reported the opinion of the committee as unanimously adverse to the

prayer of the petition of Hiram Bowen, Charles S. Jordan and fifty others for the abolition of Capital Punishment,

And also reported back, bills,

No. 52, S., a bill to appropriate to G. W. Gillett a certain sum of money:

No. 107, *a.*, a bill respecting sale of mortgaged premises.

And

No. 148 *a.*, a bill relating to sale of mortgaged premises.

With a recommendation that said bills do not pass.

And also reported

No 63 *a.*, a bill to amend chapter 82 of Revised Statutes.

With an amendment.

And

No, 34 *a.*, a bill to repeal sections 33 and 34 of chapter 131 of part 3, title 29 of the Revised Statutes,

No. 82, *a.*, a bill to extend the time for collecting taxes in the town of Pleasant Spring, Dane county,

No. 140, *a.*, a bill to change the name of Sarah Rape to Sarah Vroman,

Without amendment.

And recommended the passage of said bills,

A message from the Senate, by William Hull, Esq., their Chief Clerk,

Mr. Speaker,

I am directed to inform you that Senate has refused to recede from its non-concurrence in the 3d 4th and 12th amendments of assembly to

No. 29, S., a bill to incorporate the Green Bay, Milwaukee and Chicago Railroad company;

And has appointed

Messrs Reed, Heubschmann and Head a committee of conference on the part of the Senate, on the disagreeing vote of the two Houses on said bill.

The Senate has also refused to recede from its non-concurrence in the amendment of Assembly to

No. 47, S., a bill to provide for the laying out of a state road in the county of Brown.

And has appointed Messrs Conkey, Rittenhouse and P. H. Turner a committee of conference, on the part of the Senate on the disagreeing vote of the two Houses on said bill.

The Senate has concurred in the first and second and has noncurred in the 3d and 4th amendments of Ascembly to

No. 59, S., a bill granting pre-emption rights to settlers upon the even numbered sections of land on the Fox river reserve,

And has concurred in

The amendments of assembly to

No. 18, S., a bill to set apart and incorporate Door county, and the amendment of assembly to the title of

No. 68, S., a bill to amend an act entitled 'an act to incorporate the city of Kenosha,

I am also directed to inform you that Senate has passed

No 85, S., a bill to incorporate the county of Waupacca,

No. 78, S., a bill to incorporate the Milwaukee and Fond du Lac railroad company, and

No. 84, S., a bill to appropriate to Timothy Burns the sum therein named.

In which the concurrence of the assembly is requested.

Senate has also concurred in the passage of

No. 75, *a.* a bill to regulate the distribution of the income of the school fund.

No. 159, *a.*, a bill to vacate certain lots in the village of Saukville, Washington county, and

No. 53, *a.*, a bill to amend an act entitled "an act to incorporate the Racine and Rock river plankroad company approved March 5th 1848.

Without amendment,

And in the passage of

M. No. 4, *a.*, memorial to congress for the establishment of a mail route from Prescott to Falls of St. Croix, and

No. 52, *a*,, a bill to incorporate the Packwaukee Bridge company;

With amendments.

In which the concurrence of assembly is requested.

The messages from the Senate were taken up, and bills

No. 48, S., a bill to appropriate Robert L Ream the sum therein named.

No. 64, S., a bill to amend an act entitled "an act granting to Marcus Warren and Moses J. Calkins the right to keep and maintain a ferry across the Wisconsin river,"

No. 78, S., a bill to incorporate the Milwaukee and Fond-du Lac railroad company:

No. 84, S.. a bill to appropriate to Timothy Burns the sum therein named :

No. 82, S., a bill to incorporate the county of Waupacca.

And,

No. 86, S., a bill to establish Baraboo Academy.

Were severally read the first and second times.

Messrs Tompkins, Moore and Jenkins were appointed a committee to confer with the committee appointed by the senate, in relation to the disagreeing vote of the senate and assembly on the 3d, 4th, and 12th amendments of assembly to bill 47, S.,

And,

Messrs Eastman, Lessey, and Lowth a committee to confer with senate committee in relation to the disagreeing vote on the amendment of the assembly to bill no, 47, S.,

The Assembly insisted on their amendment to bill no. 49, S.

And Messrs Wilson, Spooner and Bird were appointed a committee of conference on the part of the Assembly, on the disagreeing vote of the two houses upon the said amendment.

Mr. Estabrook moved that the rules be suspended for the present consideration of said bill no. 63 *a*.,

Which was disagreed to,

On motion of Mr. Spooner,

The assembly resolved itself into committee of the whole for the consideration of

M. no. 5, *a.*, a memorial to the President of the U. States, in relation to settlers on Pine Lands.

Mr. Chase in the chair:

And after some time spent therein, the committee rose, and by their chairman, reported back said memorial with a substitute therefor.

The report of the committee of the whole being under consideration,

Said substitute was adopted,

And said memorial was ordered to be engrossed and read a third time.

Mr. J. B. Johnson, from the committee on enrollments, reported as correctly enrolled,

No. 58 S., a bill to extend the corporate limits of the village of Madison.

No. 62, S., a bill to vacate a part of the town plat of Miltimore's addition to the village of Janesville,

No. 7, S., a bill to vacate a part of the town plat of the village of Dunkirk Falls, in the county of Dane.

No. 61, S., a bill to vacate a part of the town plat of the village of Rockport, in the county of Rock,

No. 5, *a.*, a bill to authorize the Milwaukee and Janesville Plank road company to construct branch roads,

No. 43, S., a bill to incorporate the Potosi and Dodgeville railroad company.

No. 45, S., a bill to amend chapter 127 of the Revised Statutes,

M. No. 6, S., a memorial to congress in relation to Fort Crawford,

No. 2, *a.*, Memorial to congress asking a donation of land for the improvement of the mouth of Black river.

No. 47, *a.*, a bill to change the course and width of Second street in the village of Whitewater,

No. 50 *a.*, a bill to appropriate to King and Fuller the sum therein named,

No. 69, *a.*, a bill to change the name of the town of Olio, in Sheboygan county,

And

No. 75, *a.*, a bill to regulate the distribution of the income of the School fund,

And also that the committee did, on the 7th inst. present to the Governor, for his approval,

A act to appropriate the several sums therein named,

Also, on the 8th inst.,

An act to pay David T. Dickson, the sum therein named;

An act for the apportionment of School moneys for the year 1851.

Said enrolled bills, and memorials were severally signed by the speaker.

And were thereupon transmitted to the Senate,

On motion of Mr. Chase,

The assembly then resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Lowth in the chair,

And after sometime spent therein, the committee rose and by their chairman, reported bills

No. 62, *a.*, a bill to incorporate the Madison Mutual Insurance company,

And no. 79. *a.*, a bill relative to the release of one or more joint debtors;

Without amendment,

And bills

No. 23, *a.*, a bill to amend chapter 19 of title 7, part 1 of the Revised Statutes,

And No. 69, S., a bill to incorporate the Fox and Wisconsin plank road company,

With amendments.

And also, reported progress on the general file of bills,

And, asked leave to sit again;

Leave was granted.

The report of the committee of the whole being under consideration,

The amendments of the committee to said bills no. 23, *a.*, and 69 S.,

Were concurred in.

The further consideration of said bills no. 23 and 79 *a.*, was postponed for the present;

And

On motion of Mr. Spooner,

Said bills no. 62 *a.*, and 69S., were referred to committee on judiciary, with instructions to inquire and report as to the constitutional power of the assembly to pass the same and also as to the power of the assembly to repeal acts of a similar character passed during the present session of the legislature.

On motion of Mr. Lowth,

Mr. Dick had leave of absence.

On motion of Mr. J. B. Johnson,

Mr. Rogan had leave of absence for one week.

On motion of Mr. Estabrook,

The assembly adjourned.

MONDAY, Feb. 10, 10 A. M.

Prayer by the Rev. Mr. Lord.

The journal of the 8th inst. was read and approved.

The speaker laid before the assembly communications, one from the circuit clerk of Rock county, and one from the circuit clerk of Marquette county, in relation to fines imposed

and collected in criminal prosecutions, &c:

Which said communications were referred to committee on ways and means.

The speaker also laid before the assembly, a communication from Caleb Croswell, one of the board of commissioners of the Fox and Wisconsin river improvement; the said communication being made in compliance with a resolution of the assembly, adopted on the 3d instant.

The communication was read, and

On motion of Mr. Jenkins;

It was laid on the table, and 500 copies ordered to be printed.

(For said communication see appendix.)

Petitions and remonstrances were presented and severally referred, as follows:

By Mr. Eastman;

Sundry petitions for a new county to be composed of portions of Brown and Winnebago counties,

Referred to committee on town and county organization.

By Mr. Doran,

Sundry petitions, having in all 420 signatures of citizens of Milwaukee, for a suspension of the sales of School and University land,

Referred to committee on University and University lands.

By Mr. Barnett

The petition of L. M. Dunham and others, for a state road from Fond du Lac to Oshkosh.

Referred to committee on roads and bridges,

By Mr. Waldo

The remonstrance of Edward H. S. Dartt, and 40 others, of Marquette county, against the passage of usury laws,

Referred to committee on judiciary.

By Mr. Rodolf;

The petition of citizens of Waupacca, accompanied by certain resolutions on the subject, for a new county to be called Menominee county,

Referred to committee on Town and county organization.

By Mr. Bradley;

The petition of Thomas Green and others, for the passage of a law suppressing the sale of intoxicating liquors;

Referred to committee on charitable and religious institutions.

Also,

The petition of C. J. Randall and others, for a state road from Columbus, in Columbia county, to Princeton, in Marquette county;

Referred to committee on Roads and Bridges.

By Mr. H. Johnson;

The petition of John Gridley and others, of the city of Kenosha, that the death penalty in cases of wilful murder may not be abolished.

By Mr. Hulburt,

A communication from Jacob Ly Brand, Allamakee county, Iowa, in relation to a certain street in the village of Monroe, Green county;

Referred to committee on incorporations.

By Mr. Murphy,

The petition of Robt. H. Hotchkiss and others, for a change in the name of the town of Plymouth, Sheboygan county.

Referred to committee on Town and county organization.

Mr. Moorman introduced the following resolutions.

Resolved, That whereas the Legislature did at the last session pass a joint resolution, directing the state Engineer to make a survey of the several rapids in the Wisconsin river between Point Bausse and Blaulieux rapids, and to make and submit to the legislature at this session a plan and estimate for the improvement of said rapids, and whereas no such plan has been submitced by said Engineer—therefore resolved; that the state Engineer be directed to inform the assembly whether any survey has been made, and to furnish the assembly all the information on the subject in his possession.

2 Resolved, That the chief clerk be directed to furnish the

state Engineer with a copy of the above preamble and resolutions.

Mr. J. B. Johnson introduced the following resolution:

Resolved, That the commissioners of the School and University lands be, and are hereby required to report to this assembly the amount of forfeitures and fines collected by them for non-compliance with the provisions of section 13 of chapter 24 of the Revised Statutes;

Resolved, that the chief clerk transmit to said commissioners a copy of the above resolution.

Mr. Chase on leave granted introduced memorial

No. 6, *a.*, a memorial to congress asking for the cession of the public lands to the states in which they lie, to be by them sold to actual settlers in limited quantities at cost;

Which was read the 1st and 2d times.

Mr. Waldo on leave granted, introduced bill

No. 173, *a.*, a bill to incorporate and set apart the county of Waushara;

Which was read the 1st and 2d times, and referred to committee on incorporations.

Mr. Gifford, from the committee on agriculture and commerce, reported bill

No. 174, *a.*, a bill to levy a tax on dogs;

Which was read a 1st and 2d times.

Mr. Tohl from committee on roads and bridges, reported bills

No. 175, *a.*, a bill for laying out a state road in the counties of Marquette and Winnebago;

And,

No. 176, *a.*, a bill to authorize the construction of a bridge across Wolf river at Winnecona.

Which were severally read the first and second times,

And also reported back bill

No. 134, *a.*, a bill to lay out and open a state road from Depere in Brown county, to Willow River in St. Croix county,

No. 138, *a.*, a bill for laying out a state road in the county ty of Dodge.

No. 139, *a.*, a bill for laying out of a state road therein described;

No. 153, *a.*, a bill to authorize the laying out of a state road threin named;

And

No. 154, *a.*, a bill to authorize the laying out of a state road therein named;

Without amendment,

And

No. 141, *a.*, a bill granting to John Coumbs and Thomas Andrew the right to keep and maintain a ferry across the Wisconsin river in the town of Richwood in the county of Richland;

With an amendment,

And recommend the passage of said bills.

Mr. Rodolf, from the committee on Town and county organization, to whom the same was referred, reported back bill

No. 46, S., a bill to repeal an act entitled "an act to organize the town of Monticello in the county of Lafayette.

With a recommendation that it do not pass.

Mr. Henning from the committee on engrossments, reported as correctly engrossed the following bills:

No. 54. *a.*, a bill to remit the interest on canal bonds and mortgages therein mentioned.

No. 59, a bill making an appropriation for the payment of canal bond No 54.

No. 60, *a.*, a bill making an appropriation for the payment of canal bonds Nos. 55 and 56.

No 72, *a.*, a bill to authorize the construction of a dam across the Milwaukee river.

No. 80, *a.*, a bill to amend an act entitled "an act to incorporate the Winnebago Lake and Fox river road company."

And

No 83, *a.*, a bill to amend an "act authorizing the laying out of a state road from Sheboygan to Madison."

Mr. J. B. Johnson, from the committee on enrollments reported as correctly enrolled bills

No 18, S., a bill to set apart and incorporate Door county.

No. 68, S., a bill to amend an act entitled, "an act to incorporate the city of Kenosha.

No. 45, *a*, a bill to provide for making returns of elections in towns to the clerk of the board of Supervisors of the co., and

No. 56, *a.*, a bill to legalize the assessment and collection of taxes in the town and county of Marathon.

And also reported that the committee did, on the 10th inst. present to the Governor for his approval, acts of the following titles:

An act to extend the corporate limits of the village of Madison.

An act to vacate a part of the town plat of Miltimores' addition to the village of Janesville.

An act to vacate a part of the town plat of the village of Dunkirk Falls in the county of Dane.

An act to vacate a part of the town plat of the village of Rockport in the county of Rock.

An act to authorize the Milwaukee and Janesville plank road company to construct branch roads.

An act to incorporate the Potosi and Dodgeville railroad company.

An act to amend chapter 127 of the revised statutes,

A memorial to congress in relation to Fort Crawford.

A memorial to congress asking a donation of land for the improvement of the mouth of Black river.

An act to change the course and width of 2d street in the village of Whitewater.

An act to appropriate to King and Fuller the sum therein named.

An act to change the name of the town of Olio, Sheboygan county.

Mr. Jenkins, from the select committee to whom the same was referred, reported back bill

No. 1, *a.*, a bill to incorporate the city of Milwaukee:

Submitted the following :

REPORT :

The select committee, consisting of the Milwaukee delegation to whom was referred bill

No. 1, *a.*, "a bill to incorporate the city of Milwaukee," respectfully report: that after taking into consideration the wishes of the citizens of Milwaukee, as expressed, and laid before your committee, through petitions, letters, and proceedings of numerous public meetings, as well as from their own personal observation, your committee are of opinion, that the passage of the said bill, in its present shape, would not meet with the approval of a majority of the citizens of Milwaukee.—The new provisions sought to be enacted by the passage of said bill, are so diversified, and many of them so important, that it is not surprising that the public mind has become unusually agitated and excited.

The proposition to provide for the submission of said bill, after its passage, to the electors of Milwaukee, without adopting at the present session of the Legislature, such amendments to the old city charter, as shall enable said city to carry on its government and to collect taxes, cannot be entertained by your committee, for in that case no alternative would be left for the citizens than to adopt the new city charter.

The most important new proposition contained in said bill, is the provision for the grading of streets and the building of sewers, which, in the opinion of your committee, should be submitted to a direct vote of the tax payers, without being connected with any other.

Under these circumstances, your committee do not feel at liberty to advise the passage of said bill, but recommend the adoption of such amendments as shall enable the city to carry on its government and to collect taxes, and to submit the provision for the grading of streets, &c., at the expense of the lots fronting on and benefitted by such improvements, to a vote of the tax payers of the several Wards.

Yout committee, therefore, submit the following substitute for the original bill

(Signed)

Charles E. Jenkins,
Fr. Huebschmann,
Geo. H. Walker,
John L. Doran,
S. G. Osborne,
W. K. Wilson,
D. C. Reed,
Patrick Cavney.

Feb. 11, 1851.

Mr. Tompkins, from the select committee to whom the same was referred, reported back bill

No. 166 *a*., a bill to amend the charter of the Rock River Valley Union Railroad company.

With an amendment.

And recommended the passage of said bill.

The rule to print, in reference to said bill, was suspended.

Mr. Bird, from the select committee to whom the same was referred. reported back bill

No. 168 *a*., a bill in relation to the improvement of the Capitol;

With an amendment,

And recommended the passage of the same.

Mr. Barnett, from the select committee, to whom the matter was referred, reported bill

No 177, *a*., a bill to establish a certain road therein named,

Which was read the first and second times.

Mr. Malmros, from the select committee to whom the subject was referred, reported back bill

No 113, *a.*, a bill licensing the sale of intoxicating liquors,

With amendments,

And recommended the passage of said bill,

The messages from the Senate were taken up and considered,

The amendments of the senate to

M. No. 4, *a.*, for the establishment of a mail route from Prescott to the Falls of St. Croix.

And

No. 52, *a.*, a bill to incorporate the Packwaukee Bridge company,

Were severally concurred in.

The following bills, viz :

Said bills, No. 72, 80, and 83, *a.*, were severally read a third time, passed,

And the titles thereof agreed to.

Said bill No, 59, *a.*, was read a third time.

And the question on its passage was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Barnett, Biddlecome, Bird, Briggs, Cavney, Chase, Clothier, Cole, Cone, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hurlburt. Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Osborne, Ray, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Utley, Van Vliet, Vincent, Waldo, Whitton, Wilson, Wing and Horn (Speaker.) —50,

Mr. Rodolf voted in the negative—1.

The title of said bill was agreed to.

Said bill No. 60, *a.*, was read a third time.

And the question on the passage thereof was decided in the affirmative.

All present, viz :

Messrs. Barnett, Biddlecome, Bird. Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Doran, Eastman, Esta-

brook, Everly, French, Fuller, Gifford, Groot, Hale, Henenway, Henning, Hurlburt, H. Johnson, J. B. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Osborne, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Utley, Van Vliet, Vincent, Waldo, Whitton, Wilson, Wing, and Horn, (Speaker)—52.

Voted in the affirmative.

The title was agreed to.

Said bill No. 54, *a.*, was read a third time.

And the question being on the passage thereof,

Mr. Biddlecome moved that said bill be laid on the table.

Which was agreed to.

A message from the Senate, by Wm. Hull Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that His Excellency, the governor, did on the 7th inst., return to the Senate, with his objections:

An act to amend chap. 15 of the Revised Statutes, and to prescribe the manner in which delinquent tax lands bid off by the counties, shall be taxed:

And that he did on the 8th inst. also, with his objections, return an act relating to the Milwaukee and Mississippi rail road company;

And that senate, after reconsideration, have refused to pass said bills.

I am directed further to inform you that senate has passed,

No. 106, S., a bill to amend the charter of the Milwaukee and Mississippi rail road company;

In which the concurrence of the assembly is requested, and that senate has passed.

No. 24, *a.*, a bill to amend chapter 112 of the Revised Statutes relative to proceedings in attachment,

Without amendment.

Mr. Estabrook moved that said bill.

No. 106, S., be taken from the senate message for consideration.

Which was agreed to.

And said bill was read the first and second times.

Mr. Ray moved that all rules be suspended for the purpose and read a third time now.

Which was agreed to.

And said bill was read a third time, passed,

And the title thereof was agreed to.

Bills reported by a committee of the whole, being under consideration.

The amendment made in committee to bill,

No. 28. *a.*. a bill to incorporate the Milwaukee and Humbolt plank road company,

Was not concurred in ;

And said bill was ordered to be engrossed and read a third time.

The amendment of the committee to bill

No. 23, *a.*, a bill to amend chapter 19, of title 7, part 1, of the Revised Statutes.

Was not concurred in.

And said bill was ordered to be engrossed and read a third time.

On motion of Mr. Chase,

No. 79, *a.*, relative to the release of one or more joint debtors,

Was laid on the table.

A message from the Senate, by Wm. Hull, Esq., their chief clerk.

Mr. Speaker :

I am directed to inform you that Senate has passed

No. 74, S., a bill to appropriate to Morritz Shoeffler the sum therein named.

No. 79, S., a bill to incorporate the Madison and Swan Lake rail road comapny.

No, 80, S., a bill to authorize the laying out of a state road in Columbia county.

No. 81, S., a bill to amend section 213; of chapter 88, of the Revised Statutes.

No. 83, S., a bill to appropriate to G. H. Slaughter the sum therein named.

No. 88, S., a bill to authorize the construction of a toll bridge across Fox river at Grand Chute.

No. 87, S., a bill to provide for the organization of electric telegraph companies, and

No. 89, S., a bill to authorize the construction of a bridge across Fox river at Grand Kaukana.

In which the concurrence of the assembly is requested :

And that senate has passed the following resolution :

Resolved by the senate (the assembly concurring,) that no new business be introduced in either branch of the legislature after the 22nd February inst., and further, that this legislature do adjourn sine die, on Monday, the 3rd day of March, A. D. 1851.

In which I am also directed to ask the concurrence of the assembly.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole, for the consideration of the special order of the day, bill

No. 22, S., a bill to provide for the punishment of murder in the first degree, and to abolish punishment by death ;

Mr. Chase in the chair.

And after some time spent therein,

The committee rose and by their chairman reported progress on said bill.

And asked leave to sit again.

Leave was granted.

Mr. Bjornson had leave of absence for three days.

On motion of Mr. Whitton,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P M.

Mr. Jenkins from the committee on incorporations, to whom the same was referred, had leave to, report, and reported back bill.

No. 173, *a.*, a bill to incorporate and set apart the county of Waushara,.

Without amendment.

And recommended its passage.

The rules having been suspended,

Said bill was read a third time, passed,

And its title agreed to.

A message from the Governor, by George P. Delaplaine, Esq., his private secretary :

EXECUTIVE DEPARTMENT,
Madison, Feb. 10, 1851.

To the Assembly :

An act entitled "an act to appropriate the several sums therein named, and,

An act entitled, "an act to regulate the distribution of the income of the school fund," were on the 8th inst. approved and signed by me, and deposited in the office of the Secretary of State.

Acts entitled as follows, "an act to change the name of the town of Olio, Sheboygan county."

An act to change the course and width of second street in the village of Whitewater.

An act to appropriate to King & Fuller the sum therein named ; and

Memorial to Congress asking a donation of land for the improvement of the mouth of Black river ;

Were this day approved and signed by me, and deposited as aforesaid.

(Signed) NELSON DEWEY.

On motion of Mr. Rodolf,

The rules were suspended, and the assembly again resolved itself into committee of the whole, for the consideration of said bill, No. 22, S.,

Mr. Chase in the chair.

And after some time spent therein,

The committee rose and by their chairman, reported progress on said bill.

And asked leave to sit again.

Leave was granted.

Mr. Eastman, leave of the assembly first being had, moved that bill,

No. 85, S., a bill to incorporate the county of Waupaca,

Which had been referred to the committee on roads and bridges,

Be referred to the committee on town and county organization.

Which was agreed to.

Mr. J. B. Johnson, from the committee on enrollments, reported as correctly enrolled, bills,

No. 106. S., a bill to amend the charter of the Milwaukee and Mississippi rail road company.

And No. 53, *a.*, a bill to amend an act entitled "an act to incorporate the Racine and Rock river plank road company, approved March 6, 1848,

Which said enrolled bills were severally signed by the speaker.

On motion of Mr. Everly,

The assembly adjourned.

TUESDAY, Feb. 11, 10 o'clock, A. M.

Prayer by the Rev. Mr. Woodward.

Pending the reading of the Journal of yesterday,

The further reading thereof was dispensed with.

The speaker laid before the Assembly communications, one from the circuit clerk of Crawford county, and one from the circuit clerk of Winnebago county;

Which were referred to committee on ways and means.

Petitions were presented and severally referred, as follows :

By Mr. Eastman,

The petition of J. S. Cavert and others, for a state road from Waupacea Falls to Keewaunee,

Referred to committee on roads and bridges.

By Mr. Hulburt,

The petition of Alexander Clark and others, of Green co. for the abolition of the present system of county government,

Referred to committee on town and county organization.

My Mr. Moorman,

The petition of Albin Hill and other citizens of Marathon county, for a charter for the improvement of Little Bull Falls in Wisconsin river.

Referred to committee on incorporations,

By. Mr. Waldo,

The petition of Delos Davis and others, citizens of State Centre, Marquette county, for a bridge charter,

Referred to committee on roads and bridges.

By Mr. Bannister,

The petition of C. B. Parrish and 55 others, of the town of Beloit, Rock county, for an act to appropriate to Wm. H. Howard a certain sum of money.

Referred to committee on claims.

Bills were introduced on leave granted severally read the first and second times, and referred, as follows;

By Mr. Lowth,

Bill No. 178, *a.*, a bill to provide for proving pre-emption rights, and to amend section 40 of chapter 24, of the revised statutes.

Referred to committee on education and school lands.

Also bill

No. 179, *a.*, a bill to appropriate to John C. Lewis, treasurer of Dodge county, the sum therein named:

Referred to committee on claims,

By Mr. Stock,

No. 180, *a.*, a bill to authorize Henry Thiel and his associates to build a dam across the Milwaukee river,

Referred to committee on incorporations.

By Mr. Gifford,

No 181, *a.*, a bill to authorize the draining or lowering of North Lake in the town of Merton, county of Waukesha,

Referred to a select committee to consist of the members from said county.

Mr. Wing, on leave granted, introduced memorial

No. 7, *a.*, a memorial to congress in relation to a mail route.

Which was read the 1st and 2d times.

Mr. Chase from the committee on claims to whom the same was referred, reported back bill

No. 60, S., a bill to appropriate to Rev. Wesley Lattin the sum therein named,

Without amendment,

And recommended that said bill pass.

Mr. Jenkins, from the committee on incorporations, to whom the same was referred, reported back bill

No. 169, *a.*, a bill to amend an act entitled "an act to provide for the continuation of Lisbon and Milwaukee plank road from Watertown to Madison," approved March 1st, 1848,

Without amendment,

And recommended that said bill pass.

Mr. H. Johnson, from the commitiee on agriculture and commerce, reported bill

No. 182, *a.*, a bill to establish an agricultural department in the University of Wisconsin,

Which was read the 1st and 2d times.

And referred to committee on University and Uuiversity lands.

(For report in full see appendix.)

Mr. Henning from the committee on engrossments, reported as correctly engrossed, the following bills,

No. 86, *a.*, a bill to legalize the organization and acts of School District No. 2 in the town of Newark in Rock county.

No. 87, *a.*, a bill to legalize the organization and acts of school district no. 4, in the town of Plymouth, Rock county.

No. 89, *a.*, a bill to appropriate to H. Van Deusen the sum therein named.

No. 90, *a.*, a bill to provide for the time of holding county courts in the county of Milwaukee.

No. 104, *a.*, a bill to authorize J. and G. Tomlinson to construct a mill race in the village of Port Washington.

No. 105, *a.*, a bill for laying out a state road from Token Creek to Fort Winnebago,

No. 106, *a.*, a bill to lay out and establish a state road th erein named.

And memorials,

M. no. 3, *a.*, a memorial to congress in relation to the improvement of the Portland canal, in the state of Kentucky,

M. no. 5, *a.*, a memorial to the President of the United States, in relation to settlers on pine lands.

Mr. Moorman from the committee on privileges and electi :n-, to whom was referred bill

No. 85, *a.*, a bill to prevent the killing of deer in certain months of the year,

Reported a substitute therefor.

On motion of Mr. Tompkins;

Ordered that 500 copies of the report made this morning by the Committee on Agriculture and Commerce, be printed.

Mr. Tohl, from the committee on roads and bridges, reported memorial

No. 8. *a.*, a memorial to congress, asking for a mail route from the village of West Bend to the town of Wayne in Washington county.

Also, bills

No. 183, *a.*, a bill to authorize the construction of a dam across the outlet of Long Pond, in Fond du Lac county;

And

No 184, *a.*, a bill to provide for the laying out of a state road therein named;

Which were severally read the 1st and 2d times.

Mr. Rodolf, from the committee on town and county organization, to whom the same were referred, reported back bills

No. 85, S., a bill to incorporate the county of Waupacca,

And,

No. 121, *a.*, a bill to extend the eastern boundary of Portage county;

Without amendment.

And recommend their passage,

And also reported back bill

No. 70, S., a bill to attach certain territory therein named to the county of Brown,

Recommending that it do not pass.

Mr. Tohl, from the select committee to whom petitions on the subject were referred, reported bill

No., 185, *a.*, a bill to authorize the treasurer of school district no. 5, in the town of Richfield in the county of Washington to collect the delinquent taxes therein;

Which was read the 1st and 2d times.

The following resolutions, to wit:

Resolved, That whereas the Legislature did at the last session pass a joint resolution, directing the state Engineer to make a survey of the several rapids in the Wisconsin river be-

tween Point Bausse and Blaulieux Rapids, and to make and submit to the legislature at this session a plan and estimate for the improvement of said rapids, and whereas no such plan has been submitted by said Engineer—therefore resolved; that the state Engineer be directed to inform the assembly whether any survey has been made, and to furnish the assembly all the information on the subject in his possession.

2d Resolved, that the chief clerk be directed to furnish the state Engineer with a copy of the above preamble and resolutions.

Were considered and adopted.

The following resolutions, to wit:

Resolved, That the commissioners of the School and University Lands be, and are hereby required to report to this assembly the amount of forfeitures and fines collected by them for noncompliance with the provisions of section 13 of chapter 24 of the revised statutes:

Resolved, That the chief clerk transmit to said commissioners a copy of the above resolution.

Being under consideration,

Mr. Clothier moved that said resolutions be laid on the table,

Which was agreed to.

Mr. Chase moved that all rules be suspended for the purpose, and that memorial,

No. 6, *a.*, a memorial to congress asking for the cession of the public lands to states in which they lie, to be by them sold to actual settlers in limited quantities, at cost;

Which was agreed to.

And said memorial was read a third time.

The question then being on the passage of said memorial,

Mr. Doran moved that it be referred to a select committee,

Which was disagreed to.

Mr. Wilson had unanimous leave to amend the said memorial by the following preamble:

Whereas this legislature see with much regret that the lands

in our state are fast passing into the hands of eastern and foreign capitalists, and

Whereas, it is the opinion of this legislature, that the present welfare and perpetuity of our institutions are endangered by this mode of disposing of the public lands, and

Whereas, this legislature believe that had the sale of the public lands by the government been arrested as recommended by president Jackson in 1832, and had they been made accessible to every American citizen, the condition of the laboring classes would have been much improved, and the whole condition of society much more in accordance with our national theory of democratic equality.

The question on the passage of said memorial,

Was decided in the affirmative,

And the title agreed to.

And said bill was read a third time, passed, and the title agreed to.

The messages from the senate were taken up, and the following bills, to wit:

No. 74, S., a bill to appropriate to Morritz Shoeffler the sum therein named.

No. 79, S., a bill to incorporate the Madison and Swan lake Railroad company.

No. 80, S., a bill to authorize the laying out a state road in Columbia county.

No. 81, S., a bill to amend section 213 of chapter 88 of the Revised Statutes.

No. 83, S., a bill to appropriate to G. H. Slaughter the sum therein named.

No. 88, S., a bill to authorize the construction of a toll bridge across Fox river at Grand Chute.

No. 87, S., a bill to provide for the organization of electric Telegraph companies, and

No. 89, S., a bill to authorize the construction of a bridge across Fox river at Grand Kaukana

Were severally read the 1st and 2d times.

The following resolution, to wit:

Resolved by the Senate (the assembly concurring) that no new business be introduced in either branch of the Legislature after the 22d February inst., and further that this Legislature do adjourn sine die on Monday the 3d day of March A. D. 1851.

Being under consideration,

And the question being on the adoption thereof;

Mr. Malmros moved that said resol'n be laid on the table;

Which was disagreed to,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Bird, Bjornsen, Cavney, Gifford, Groot, Hale, Julius, Malmros, Moorman, Murphy, Seaver, Smith, Stock, Wilson and Horn (Speaker)—16.

Those who voted in the negative were,

Messrs Branett, Biddlecome, Boyce, Briggs, Chase, Clothier, Dole, Cone, Doran, Estabrook, Eastman, Everly, French, Fuller, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Kinney, Lessey, Lowth, Moore Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolph, Snover, Spooner, Tinker, Tompkins, Tregaskis, Utley, Van Vleit, Vincent, Waldo, Whitton and Wing—43.

The question recurring on the adoption of said resolution,

Mr. Everly moved to amend the same by striking out all after the words "February inst."

And the question being on agreeing to said amendment,

Mr, Smith moved that the further consideration of the resolution be postponed until the 20th inst.,

Which was agreed to.

Mr. Bradley on leave had, moved that bill

No. 103, *a.*, a bill to provide for the survey and sale of certain lands in the town of Winnebago;

Be recommitted to committee on State Lands,

Which was agreed to.

On motion of Mr. Spooner,

The order of Assembly making bill No. 14, *a.*, the special order for today,

Was rescinded,

The assembly then resolved itself into committee of the whole for the further consideration of bill

No. 22, S., a bill to provide for the punishment of murde in the first degree and to abolish punishment by death;

Mr. Chase in the chair,

And after some time spent therein,

The committee rose and by their chairman reported progress.

And asked leave to sit again.

Leave was granted,

Mr. Walker on leave, presented petitions of citizens of Milwaukee, having in all 310 signatures, and asking the passage of bill

No. 1, *a.*, a bill to incorporate the city of Milwaukee;

Which were referred to a select committe to consist of the members from Milwaukee.

And also introduced bills,

No. 186, *a.*, a bill to protect Plank, Gravel, Charcoal, and Macadamized roads in the state of Wisconsin.

And

No. 187, *a.*, a bill to incorporate the Northwestern Art Union,

Which were severally read the 1st and 2d times.

On motion of Mr. Wilson;

The assembly adjourned till 2 o'clock, p. m.

Two O'Clock, P. M.

Mr. Chase moved a call of the assembly;

Which was ordered,

And the roll having been called:

The absentees were—

Messrs Bannister, Barnett, Biddlecome, Bradley, Boyce, Cavney, Doran, Estabrook, French Gifford, Groot, Hemenway, Henning, Jenkins, H. Johnson, Kinney, Lowth, Moorman, Murphy, Perkins, Price, Rodolf. Snover, Tohl, Tregaskis, Utley, and Walker.

The sergeant-at-arms was dispatched to procure the attendance of absent members, and returned and reported all who were absent, as in attendance, except Messrs. Estabrook and Utley.

Mr. Spooner moved that further proceedings under the call be dispensed with,

Which was not agreed to.

The sergeant-at-arms having been ordered to procure the attendance of Messrs Estabrook and Utley, after a short time, reported those gentlemen in attendance.

Mr. Jenkins moved that bill no. 14, *a.*, be taken up for consideration,

Which was disagreed to.

On motion of Mr. Biddlecome,

The assembly resolved itself into committee of the whole, for the further consideration of said bill no. 22 S.

Mr. Chase in the chair.

And after some time spent therein,

The committee rose and by their chairman,

Reported said bill

With an amendment,

A message from the Senate by Wm. Hull Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that Senate has concurred in the adoption of the following resolution,

Resolved, [The Senate concurring] that a joint committee, consisting of the committee on education and school lands of both houses, be directed to inquire into and report as to the expediency of so amending chapter 24 of the revised statutes, as to direct the payment of interest on school and University Lands, and the interest on money loaned from the school fund, so that it may be paid into the hands of county treasurers, to be paid by such treasurers into the State treasury at the time of paying the state tax due from the several counties.

Also in the passage of

No. 144, *a*., a bill for the relief of the town of Depere, in the county of Brown.

Without amendment.

And has passed,

No. 53, S., a bill to appropriate to R. W. Lansing a certain sum of money,

No. 104, S., a bill to appropriate to the county of Racine the sum of money therein named,

No. 91, S., a bill to vacate a part of a street in the village of Strongville, Marquette county.

No. 93, S., a bill to appropriate to Barstow & Hatch the sum therein named;

No. 94, S., a bill appropriating to Fratney & Herzbergh the sum therein named,

No. 95, S., a bill appropriating to James W. Seaton the sum therein named,

No. 96, S., a bill to appropriate to Kund Langland the sum therein named,

No. 97, S. a bill appropriating to S. M. Booth the sum therein named,

No. 100, S., a bill to amend part 2d, section 4, chapter 15 of the Revised Statutes,

In which I am directed to ask the concurrence of the assembly.

The report of the committee of the whole being under consideration,

The amendment of the committee to said bill, No. 22, S., which was to strike out all after the enacting clause,

Was concurred in.

And the ayes and noes being called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Clothier, Cole, Cone, Doran, Estabrook, Eastman, Everly. French, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Moore, Murphy, Olmstead, Osborne, Rodolf, Smith, Spooner, Stock, Tohl, Tregaskis, Waldo, Walker, Whitton, Wing and Horn, (Speaker)—40.

Those who voted in the negative, were

Messrs Barnett Chase, Easton, Fuller, Gifford, Groot, Lessey, Lowth, Muzzy, Perkins, Price, Ray, Seaver, Snover, Tinker, Tompkins, Utley, Vincent and Wilson—19.

Mr. Briggs moved that said bill be laid on the table,

Which was agreed to.

On motion of Mr. Biddlecome,

The assembly adjourned.

WEDNESDAY, Feb. 12, 10 A. M.

Pending the reading of the journal of yesterday,

On motion of Mr. Rodolf,

The farther reading thereof was dispensed with.

The speaker laid before the assembly a communication from the circuit clerk of Portage county, in relation to fines in criminal prosecutions, &c.

Referred to committee on Ways and Means.

Petitions were presented and severally referred, as follows:

By Mr. Bradley,

The petition of Jared S. Wadsworth and others for a dam across a branch of Fox river;

Referred to committee on internal improvements.

By Mr. Muzzy,

The petition of J. H. Stickney and 40 others in relation to the Winnebago Marsh;

Referred to committee on state lands.

By Mr. Clothier,

The petition of G. M. Harris and 51 other citizens of Jefferson county, for the submission of the bank question;

Referred to committee on incorporations.

By Mr. Tinker,

The petition of W. H. Lamphear and 16 others, inhabitants of the state of Wisconsin, for a law suppressing the sale of intoxicating drinks as a beverage;

Referred to committee on charitable and religious institutions.

Mr. Biddlecome introduced the following resolution:

Resolved, That the use of this hall be given to the company of Brothertown Indians now in Madison, to-morrow evening;

And moved that the rules be suspended for the present consideration of said resolution.

Which was agreed to.

And said resolution was considered and adopted.

Mr. Rodolf introduced the following resolution :

Resolved, by the assembly, (the senate concurring,) That the Librarian be, and hereby is instructed to furnish to each member of the senate and assembly, one copy of the supreme court reports, recently published.

Bills were introduced on leave granted, severally read the first and second times, and referred, as follows :

By Mr. Murphy, bill

No. 188, *a.*, a bill to amend an act entitled "an act to incorporate the village of Sheboygan ;"

Referred to committee on incorporations.

By Mr. Bjornsen, bill

No. 189, *a.*, a bill to amend chapter 12 of title 14 of the revised statutes ;

Referred to committee on town and county organization.

By Mr. H. Johnson, bill

No. 190, *a.*, a bill to pay to Volney French the sum therein named ;

Referred to committee on claims.

By Mr. Lessey, bill

No. 191, *a.*, a bill for the relief of the town of Green Bay ,

Referred to committee on incorporations.

By Mr. Malmros, bill

No. 192, *a.*, a bill to grant to the Neenah and Manitowoc plank road company the right of way through the state lands ;

Referred to committee on incorporations.

Mr. Estabrook, from the committee on judiciary, reported bill

No. 193, *a.*, a bill to pay C. Latham Sholes the sum therein named ;

Which was read the first and second times.

And also, submitted a report, accompanying said bill and on the subject thereof.

On motion of Mr. Hale,

Ordered that 500 copies of said report be printed.

Mr. Barnett, from the select committee to whom the matter was referred, reported bill

No. 194, *a.*, a bill for the relief of the town of Alto;

Which was read the first and second times.

Mr. Gifford, from the select committee to whom the same was referred, reported back bill

No. 181, *a.*, a bill to authorize the draining or lowering of North Lake in the town of Merton, county of Waukesha;

Without amendment.

And recommended the passage thereof.

Mr. Utley moved that the rules be suspended for the purpose, and that bill

No. 104, S., a bill to appropriate to the county of Racine the sum therein named.

Be taken from the senate messages, for present consideration;

Which was agreed to.

And the said bill was read the first and second times.

The rules having been suspended for the purpose, said bill was read a third time.

And the question being on the passage thereof,

Mr. Boyce moved that said bill be referred to the committee on claims, with instructions to report immediately;

Which was not agreed to.

The question on the passage of said bill

Was decided in the affirmative.

And the ayes and noes being required,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Bradley, Briggs, Cavney, Clothier, Cole, Cone, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H.

Johnson, J. B. Johnson, Jones, Julius, Kinney, Lessey, Lowth, Malmros, Moore, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker) 59.

Messrs. Boyce and Chase voted in the negative—2.

The title of said bill was agreed to.

On motion of Mr. Biddlecome,

The assembly took a recess until 11 o'clock, A. M.

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11 O'CLOCK, A. M.

The Chief Clerk was directed to inform the Honorable Senate that the Assembly would now meet them in joint convention for the purpose of proceeding to the election of three commissioners of the Board of Public Works, a Register of the State Land office, and a Treasurer of said board.

Which duty was performed.

And the Honorable Senate having appeared in the Assembly chamber,

The President of the Senate announced the two houses assembled

IN JOINT CONVENTION.

Mr. Jenkins introduced the following resolution:

Resolved, That the Convention do now proceed to elect, *viva voce*, officers of the Canal Lands, in the following order:

1. Register.
2. Receiver.
3. Three Commissioners.

Mr. Eastman moved to amend the resolution, 'by chang-

ing the order of election so that the Commissioners shall be first elected.'

Which was agreed to.

And the ayes and noes having been called for,

Those who voted in the affirmative, were

Messrs. Bugh, Conkey, Dean, Eastman, Gale, Giddings, Head, Hyer, Moore, Palmer, Rittenhouse, P. H. Turner and Wright [senators]

Messrs. Bannister, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Cole, Cone, Everly, French, Fuller, Gifford, Groot, Henning. Hulburt, J. B. Johnson, Jones, Kinney, Lessey, Lowth, Moorman, Murphy, Osborne, Perkins, Price, Spooner, Tregaskis, Utley and Whitton—42.

Those who voted in the negative, were

Messrs. Bennett, Huebschmann, Reed, Rountree, Sterling, and H. G. Turner [senators]

Messrs. Barnett, Briggs, Cavney, Chase, Clothier, Doran, Eastman, Easton, Estabrook, Hemenway, Jenkins, H. Johnson, Julius, Malmros. Moore, Muzzy, Olmstead, Ray, Rodolf, Seaver, Smith, Spooner, Stock, Tinker, Tohl, Tompkins, Van Vliet, Waldo, Walker, Wilson, Wing and Horn [speaker]—39.

The question was then put on the adoption of said resolution as amended,

And decided in the affirmative.

And the ayes and noes having been called for,

Those who voted in the affirmative were,

Messrs. Bugh, Conkey, Dean, Eastman, Gale. Giddings, Head, Hyer, Moore, Palmer, Rittenhouse, P. H. Turner and Wright, (Senators.)

Messrs. Bannister, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Cole, Cone. Estabrook, French, Fuller, Gifford, Groot, Henning, J. B. Johnson, Jones. Kinney, Lessey, Lowth, Moorman, Murphy, Osborne, Perkins, Price, Sprover, Tregaskis, Utley, and Whitton.—41.

Those who voted in the negative, were

Messrs. Bennett, Huebschmann, Reed, Rountree, Sterling, and H. G. Turner, (Senators.)

Messrs. Barnett, Briggs, Cavney, Chase, Clothier, Doran, Eastman, Easton, Everly, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Julius, Malmros, Moore, Muzzy, Olmstead, Ray, Rodolf, Snover, Smith, Spooner, Stock, Tinker, Tohl, Tompkins, Van Vliet, Waldo, Walker, Wilson, Wing and, Horn (Speaker,)—40.

Mr. Hemenway moved a call of the convention.

And the roll having been called,

Mr. Vincent was absent.

Mr. Vincent appeared in his place.

Mr. Tompkins moved that the convention adjourn until the 24th inst., at 11 o'clock A. M.

Which was not agreed to,

And the ayes and noes having been called for.

Those who voted in the affirmative were.

Messrs. Huebschmann, Reed, Rountree, and Sterling (Senators.)

Messrs. Barnett, Briggs, Cavney, Chase, Doran, Eastman, Easton, Estabrook, Everly, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Julius, Malmros, Olmstead, Ray, Seaver, Smith, Spooner, Stock, Tinker, Tohl, Tompkins, Van Vliet, Vincent, Waldo, and Walker—33.

Those who voted in the negative were,

Messrs. Bennett, Bugh, Conkey, Dean, Eastman, Gale, Giddings, Head, Hyer, Moore, Palmer, Rittenhouse, P. H. Turner, H. G. Turner and Wright (Senators.)

Messrs. Bannister, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Clothier, Cole, Cone, French, Fuller, Gifford, Groot Henning, J. B. Johnson, Jones, Kinney, Lessey, Lowth, Moore, Moorman, Murphy, Muzzy, Osborne, Perkins, Price, Rodolf, Snover, Tregaskis, Utley, Whitton, Wilson, Wing and Horn (Speaker)—49.

The convention then proceeded to the election of three commissioners of the board of public works.

The roll was called and the vote stood as follows :

For David M. Loy,

Messrs. Bennett, Bugh, Conkey, Dean, Eastman, Gale, Giddings, Head, Hyer, Moore, Palmer, Reed, Rittenhouse, Rountree, P. H. Turner, H. G. Turner, and Wright (Senators.)

Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Cavney, Clothier, Cole, Cone, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford. Groot, Hale, Hemenway, Henning, H. Johnson, J. B. Johnson, Jones, Kinney, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Seaver, Snover, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (Speaker.)—72.

For Caleb Crosswell,

Messrs. Bennett, Bugh, Conkey, Dean, Eastman, Gale, Giddings, Head, Hyer, Moore, Palmer, Reed, Rittenhouse, P. H. Turner, H. G. Turner, and Wright, (Senators.)

Bannister, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Cavney, Clothier, Cole, Cone, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, J. B. Johnson, Jones, Julius, Kinney, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Osborne, Perkins, Price, Ray, Seaver, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Whitton, Wilson and Wing—70.

For Timothy Burns,

Messrs. Bugh, Conkey, Dean, Eastman, Gale, Giddings, Hyer, Palmer, Reed, Rittenhouse, Rountree, P. H. Turner, and Wright, (Senators.)

Bannister, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Cole, Cone, French, Fuller, Gifford, Groot, Henning, Jenkins, J. B. Johnson, Jones, Kinney, Lessey, Lowth, Moorman, Murphy, Olmstead, Osborne, Perkins,

Price, Rodolf, Snover, Tregaskis, Utley, Walker, Whitton and Wilson—47.

For Erastus W. Drury,

Messrs. Bennett, Head, Huebschmann, Moore, Rountree and H. G. Turner, (Senators.)

Messrs. Barnett, Briggs, Chase, Clothier, Easton, Estabrook, Everly, Hale, Hemenway, Jenkins, H. Johnson, Julius, Moore, Muzzy, Olmstead, Rodolf, Seaver, Smith, Stock, Tohl, Tompkins, Van Vliet, Vincent, Waldo, Walker, and Wing—32.

For B. B. Spaulding,

Messrs. Barnett, Doran, Ray, Smith, Spooner, Tinker and Horn, (Speaker,)—7.

For Charles Moore,

Mr. Huebschmann, (Senator.)

Messrs. Chase, Hulburt, Julius, Malmros, Vincent and Horn (Speaker.)—6.

For Asa Kinney,

Messrs. Briggs and H. Johnson—2.

For Henry Merrill,

Mr. Sterling, (Senator,) and Smith—2,

For Satterlee Clark,

Mr. Chase—1.

For Albert G. Ellis,

Mr. Sterling, (Senator,)—1.

For Elijah Steele,

Mr. Sterling: (Senator,)—1.

Whole number of votes cast was, 82.

Messrs. Loy, Crosswell and Burns, having each received a majority of all the votes cast,

Were duly declared elected commissioners of the board of public works.

The convention then proceeded to the election of a register of the state land office ;

And the roll having been called,

The vote stosd as follows :

For Benjamin S. Henning,

Messrs. Bugh, Conkey, Dean, Eastman, Gale, Giddings, Head, Hyer, Moore, Palmer, Rittenhouse and Wright, (Senators.)

Bannister, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Clothier, Cole, Easton, Estabrook, French, Fuller, Groot, J. B. Johnson, Jones, Kinney, Lessey, Lowth, Moorman, Murphy, Muzzy, Osborne, Perkins, Price, Snover, Tregaskis, Utley, and Whitton—40.

For Charles Kern,

Messrs. Bennett, Huebschmann, Reed, Rountree, Sterling and H. G. Turner, [Senators.]

Barnett, Briggs, Cavney, Chase, Cone, Doran, Eastman, Everly, Gifford, Hale, Hemenway, Jenkins, H, Johason, Julius, Malmros, Moore, Olmstead, Ray, Rodolf, Seaver, Smith, Spooner, Stock, Tinker, Tohl, Tompkins, Van Vliet, Waldo, Walker, Wilson and Horn, [Speaker,]—37.

For L. P. Drake,

Messrs. P. H. Turner, (Senator,) Vincent and Wing—3.

For James H. Griffin,

Mr. Hulburt—1.

The whole number of votes cast, was 81.

No one having received a majority of the whole number of votes,

The president announced there was no election.

Whereupon the roll was again called,

And the vote stood as follows:

For B. S. Henning,

Messrs. Bugh, Conkey, Dean, Eastman, Gale, Giddings, Head, Hyer, Moore, Palmer, Rittenhouse and Wright, (Senators.)

Bannister, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Cole, Cone, Easton, Estabrook, French, Fuller, Gifford, Groot, Henning, J. B. Johnson, Jones, Kinney, Lessey, Lowth, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins,

Price, Snover, Tregaskis, Utley, and Whitton—43.

For. Charles Kern,

Messrs, Bennett, Huebschmann, Reed, Rountree, Sterling, P. H. Turner, and H. G. Turner, (Senators.)

Barnett, Briggs, Cavney, Chase, Clothier, Doran, Eastman, Everly, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Julius, Malmros, Moore, Ray, Rodolf, Seaver, Smith, Spooner, Stock, Tinker, Tohl, Tompkins, Van Vliet, Vincent, Waldo, Walker, Wilson, Wing, and Horn (Speaker,) —39.

B. S. Henning having received a majority of all the votes cast,

Was declared duly elected Register of the State Land Office.

The convention then proceeded to the election of a Treasurer of the board of public works.

And the roll having been called,

The vote stood as follows :

For James Murdoch,

Messrs. Bennett, Bugh, Conkey, Dean, Eastman, Gale Giddings, Huebschmann, Hyer, Palmer, Reed, Rountree, P. H. Turner, and H. G. Turner, (Senators,)

Bannister, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Cavney, Chase, Clothier, Cole, Cone, Doran, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Henning, Jenkins, J. B. Johnson, Jones, Julius, Kinney, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Seaver, Snover Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Vincent, Walker, Whitton, Wilson, Wing, and Horn, (Speaker,)—64.

For Joseph Jackson,

Messrs. Head, Moore, Rittenhouse, Sterling, (Senator,)

Barnett, Briggs, Eastman, Hale, Hemenway, Hulburt, H. Johnson, Smith, Van Vliet, and Waldo—15.

For A. P. Field,

Mr. Rodolf—1.

For B. B. Spaulding,

Mr. Spooner—1.

For Erastus W. Drury,

Mr. Ray—1.

The whole number of votes cast, was 82.

James Murdock having received a majority of all the votes cast,

Was declared duly elected.

On motion of Mr. Eastman,

The convention dissolved,

And the senate retired to their chamber,

The speaker announced to the assembly the result of the election by the joint convention.

On motion of Mr. Estabrook,

The assembly adjourned until half past 6 o'clock P. M.

HALF PAST 6 O'CLOCK.

No. 20, *a.*, a bill to submit the question of "Bank or no bank,"

(The special order for this evening,)

Being under consideration,

And the question being on ordering said bill to be engrossed and read a third time,

Mr. Moorman moved that the assembly adjourn.

Which was disagreed to.

Mr. Moorman moved that the further consideration of said bill be indefinitely postponed.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Boyce, Briggs, Cole, Gifford, Julius, Moorman, Olmstead, Rodolf, Snover and Tohl—10.

Those who voted in the negative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Bradley, Cavney, Chase, Clothier, Cone, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Jones, Kinney, Lessey, Lowth, Malmros, Moore, Murphy, Muzzy, Osborne, Perkins, Ray, Seaver, Smith, Spooner, Stock, Tinker, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Walker, Whitton, Wilson, Wing and Horn, (Speaker.)—49.

The question recurring on the engrossment and third reading of said bill,

Mr. Snover moved to amend the bill by striking out in sec. 2, the words "deposited at such election in a separate box to be provided by the Inspectors for that purpose a separate ballot, on which shall be," and inserting instead thereof the words "on the vote cast at such election have," and inserting after the word "printed," where it last occurrs in said section, the word "thereon."

And the question being on the adoption of the amendment,

Mr. Chase demanded the previous question,

Which was ordered:

And the question being "shall the main question be now put ?"

It was decided in the affirmative.

The question then being first, on the adoption of the amendment proposed to said bill,

It was decided in the negative.

The question on the engrossment and third reading of said bill,

Was put,

And decided in the affirmative.

And the ayes and noes having been called for and ordered.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bjornsen, Bradley, Cavney, Chase, Clothier, Cone, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Kinney, Lessey, Lowth, Malmros, Moore, Murphy, Muzzy, Osborne, Perkins, Ray. Seaver, Smith, Spooner, Stock, Tinker, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Walker, Whitton, Wilson, Wing, and Horn, [Speaker.]—47.

Those who voted in the negative were,

Messrs. Biddlecome, Bird, Boyce, Briggs. Cole, Henning, Jones, Julius, Moorman, Olmstead, Price, Rodolf, Snover and Ford—14.

Mr. Walker moved that the rules be suspended, and that said bill have its third reading now.

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Biddlecome, Bjornsen, Cavney, Chase, Clothier, Cone, Doran, Easton, Estabrook, Everly, Fuller, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Jones, Kinney, Lessey, Lowth, Malmros, Murphy, Muzzy, Osborne, Perkins, Ray, Rodolf, Seaver, Smith, Spooner, Stock, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Walker, Whitton, and Horn, (Speaker,)—41.

Those who voted in the negative were,

Messrs. Barnett, Bird, Boyce, Bradley, Briggs, Cole, French, Gifford, Groot, Henning, Julius, Moore, Moorman, Olmstead, Price, Snover, Tinker, Wilson and Wing—19.

The said bill was read a third time and passed,

And the title agreed to.

On motion of Mr, Jenkins,

The assembly adjourned.

THURSDAY, Feb. 13, 10 o'clock, A. M.

Prayer by the Rev. Mr. Eastchmann.

Pending the reading of the Journal of yesterday,

On motion of Mr. Henning,

The further reading thereof was dispensed with.

A message from the Senate, by William Hull Esq., their chief clerk.

Mr. Speaker,

I am directed to inform you that the senate has concurred in the passage of

No. 72, *a.*, a bill to anthorize the construction of a dam across the Milwaukee river.

No. 80, *a.*, a bill to amend an act entitled, an act to incorporate the Winnebago lake and Fox river road company.

No. 83, *a.*, a bill to amend an act authorizing the laying out of a state road from Sheboygan to Madison.

No. 59, *a.*, a bill making an appropriation for the payment of canal bond no. 54.

No. 60, *a.*, a bill making an appropriation for the payment of canal bonds no. 55 and 56.

Without amendments, and in the passage of

No. 167, *a.*, a bill to authorize the laying out of a state road in Marquette and Brown counties, and

No. 173 *a.*, a bill to incorporate and set apart the county of Waushara, with an amendment to each.

In which the concurrence of the assembly is requested, and that senate has passed.

No. 90, *s.*, a bill to authorize the construction of a bridge across Fox river at Little Chute.

No. 102, S. a bill to appropriate to Edward H. Rudd the sum therein named,

And

No. 109, S.; a bill to incorporate the Milwaukee and Green Bay Plank road company.

In which I am also directed to request the concurrence of the assenbly.

Petitions were presented and severally referred as follows,

By Mr. Spooner,

The petition of Samuel M. Bailey and 264 others, for the suppression of the sale of intoxicating liquors, as a beverage.

Referred to committee on charitable and religious Institutions.

By Mr. Stock,

The petition of John Hutchinson and 78 others, of the town of Germantown praying the location of the county seat of Washington county on the county farm, and asking a vote of the people with that view.

Also, the petition of Henry Blaeser and 400 others with a like prayer.

Referred to a select committee, to wit:

Messrs Tohl, Moore, Spooner, Rodolf and Utley.

By Mr. Doran,

The petition of citizens of Milwaukee county, for a division of said county.

Referred to committeee on town and county organization.

By Mr. Eastman.

The petition of Wm. Cross and others in relation to pre-emption rights.

Referred to committee on education and school lands.

Also,

The petition of L. P. Crary and others, for an act authorizing the construction of a boom across Wolf River.

Referred to committee on incorporations.

By Mr. Utley.

The petition of James M. Killip and 100 others, against the removal of the county seat of Racine county;

Referred to committee on town and county organization.

By Mr. Tohl,

The petition of Charles Schutie and 1000 others, citizens of Washington county, for the location of the county seat of said county on the county farm, and for an act to authorize the people to vote on the matter.

Referred to the select committee to whom were referred the other petitions on the subject,

By Mr. Van Vleit,

The petition of Jno. N. Parker and 194 others, against the removal of the county seat of Racine county.

Referred to committee on town and county organization.

By Mr. Julius,

The petition of inhabitants, of "Town Forrest," Fond du Lac county, relating to Town Organization,

Also, the petition of the inhabitants of Taycheedah and Forrest, Fond du Lac county, relating to the same subject,

Referred to committee on town and county organization.

By Mr. Tinker,

The petition of A. G. Cole and 48 othors, to limit the jurisdiction of county courts to Probate business,

Referred to committee on judiciary.

By Mr. Bradley,

The petition of A. D. Smith and 160 others, for a charter for Briggs & Co., to build and maintain a dam across a branch of Fox river.

Also the remonstrance of Johnson Butterfield and 118 others against the Legislature's granting a charter for a dam across Fox river,

Referred to committee on incorporations.

By Mr. Fuller,

The petition of Asa Clark and 109 others of the vicinity of Pewaukee lake, to suppress fishing in said lake with nets and seins,

Referred to committee on privileges and elections.

The speaker laid before the assembly a communication from

the circuit clerk of Green county, in relation to fines in criminal prosecutions, &c.

Referred to committee on ways and means.

Mr. Moorman on leave granted, introduced bill

No. 195, *a.*, a bill to lay out a state road therein named,

Which was read 1st and 2d times.

Mr. Moorman moved that all rules be suspended for the purpose, and that said bill be read a 3d time now,

Which was agreed to,

The said bill was read a 3d time,

And the question being on the passage thereof,

Mr. Rodolf moved that said bill be referred to the committee on roads and bridges,

Which was disagreed to.

The question on the passage of said bill was then put,

And decided in the affirmative, and the title of the bill agreed to.

Bills were further introduced, on leave granted, severally read the 1st and 2d time, and referred as follows,

By Mr. Tinker, bill

No. 196, *a.*, a bill providing for the removal and location of the seat of justice in the county of Racine.

Referred to committee on town and county organization,

By Mr. Eastman, bill

No., 197, *a.*, a bill to authorize the construction of a boom across Wolf river,

Referred to committee on incorporations.

By Mr. Bjornsen, bill

No. 198, *a.*, a bill to amend chapter 192 of the session laws of 1850, entitled "an act to amend the law concerning county courts," approved Feb. 9, 1850.

The following resolution was considered and adopted.

Resolved, by the Assembly, (the senate concurring,) That the librarian be, and hereby is instructed to furnish to each member of the senate and assembly, one copy of the Supreme Court reports, recently published.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bill

No. 28, *a*, a bill to incorporate the Milwaukee and Humbolt plank road company.

Mr. Moorman, from the committee on privileges and elections, to whom the same was referred, reported back bill

No. 166, *a.*, a bill to protect prairie chickens and quails,

With a substitute therefor.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled bills,

No. 36, *a.*, a bill to amend an act entitled, "an act to authorize Eliphalet J. Miner and Henry Clinton to improve the navigation of Grand Rapids in the Wisconsin river," approved January 29th, 1847,

No, 52, *a.*, a bill to incorporate the Packwaukee bridge company ;

No. 85, S., a bill to incorporate the county of Waupacca,

No. 104, S., a bill to appropriate to the county of Racine the sum of money therein named;

No. 144, *a.*, a bill for the relief of the town of Depere in the county of Brown,

And memorial

No. 4, *a.*, a memorial to the congress of the United States, in relation to the establishment of a mail route.

And also, that the committee had presented to the governor, for his approval.

An act to amend an act entitled "an act to incorporate the city of Kenosha," approved February 8, 1850,

An act to set apart and incorporate Door county;

An act to amend the charter of the Milwaukee and Mississippi rail road company;

An act to provide for making returns of the elections in towns to the clerks of the board of supervisors of the county,

An act to legalize the assessment and collection of taxes in the town and county of Marathon;

An act to amend an act entitled "an act to incorporate the

Racine and Rock river plank road company," approved March 6, 1848,

The said enrolled bills and memorials were severally signed by the speaker.

Mr. Jenkins, from the committee on incorporations, to whom the same were referred, reported back bills

No, 180, *a.*, a bill to authorize Henry Thiel and his associates to build a dam across the Milwaukee river,

No 187, *a.*, a bill to incorporate the North Western Art Union,

No. 188, *a.*, a bill to amend an act entitled "an act to incorporate the village of Sheboygan;"

No, 191, *a.*, a bill for the relief of the town of Green Bay,

And

No. 192, *a.*, a bill to grant to the Neenah and Manitowoc plank road company the right of way through the state lands

Without amendment,

And recommended the passage of said bills.

Mr. Price, from the committee on state lands, to whom the same was referred, reported back bill

No. 103, *a.*, a bill to provide for the survey and sale of certain lands in the town of Winnebago,

With a recommendation that it do not pass.

Mr. Walker, from the committee on internal improvements, to whom the same was referred reported back bill

No. 124, *a.*, a bill to authorize the construction of a dam across the Pickatonica river;

With amendment,

And recommend the passage of said bill,

Mr. Lowth, from the committee on educution and school lands, reported bill

No. 199, *a.*, a bill to provide for the apportionment of school moneys by town superintendents in towns bordering on the south line of the state,

Which was read the 1st and 2d time.

Mr. Estabrook, from the judiciary committeo, to whom the same was referred, reported back bill

No. 151, *a.*, a bill to change the time for making assessments and collection of taxes in the county of Portage,

Without amendment;

And,

No. 163, *a.*, a bill to attach a certain territory therein named.

With amendment.

And recommended the passage of said bills.

And also, reported back bills,

No. 81, *a.*, a bill relating to the jurisdiction of justices of the peaee,

And,

No. 165, *a.*, a bill to amend sec. 16, chapter 434, title 30, part 4, of the revised statutes,

Recommending that said bills do not pass.

Mr. Tompkins submitted the following report:

The committee of conference on the part of assembly, to confer with a similar committee appointed on the part of senate on the disagreeing vote of the two houses on

No. 29, S., a bill to iucorporate the Green Bay, Milwaukee and Chicago railroad company,

Beg leave to report:

That the committee have agreed, and recommend that the assembly recede from its 3d and 12th amendments to said bill, and that senate recede from its non-concurrence in the 4th amendment of assembly to said bill.

All of which is respectfully submitted,

W. F. TOMPKINS, Ch'n.

Which said report was concurred in.

A message from the Governor, by George P. Delaplaine, Esq., his private secretary :

EXECUTIVE DEPARTMENT,
Madison, Feb. 11, 1851.

To the Assembly :

I have this day approved, signed and deposited in the office of the secretary of state, acts entitled as follows:

An act to amend an act entitled, an act to incorporate the Racine and Rock river plank road company, approved March 1, 1848.

An act to provide for making returns of the elections in towns to the clerk of the board of supervisors of the county, and

An act to legalize the assessment and collection of taxes in the town and county of Marathon.

(Signed) NELSON DEWEY.

EXECUTIVE DEPARTMENT,
MADISON. Feb. 4, 1851.

To the Assembly—

The report of the state superintendent making the apportionment of the income of the school fund for the present year is herewith transmitted for the information of the legislature.

(Signed) NELSON DEWEY.

Mr. Clothier moved that 1000 copies of said report of the state superintendent be printed;

Which was disagreed to.

Mr. Rodolf moved that the usual number of copies of said report be printed,

Which was agreed to.

A message from the Senate, by Wm. Hull, Esq., their chief clerk;

Mr. Speaker—

I am directed to inform you that senate has concurred in the passage of

No. 35, *a.*, a bill to provide for the more speedy collection and payment of fines, forfeitures and penalties remaining in the hands of Justices of the peace;

With amendments,

In which the concurrence of the assembly is requested,

And that senate has adopted the report of the committee of

conference on the disagreeing vote of the two houses on

No. 29, S., a bill to incorporate the Green Bay, Milwaukee and Chicago railroad company.

The messages from the senate were taken up and considered.

The following bills, to wit:

No. 53, S., a bill to appropriate R. W. Lansing a certain sum of money.

No. 90, S., a bill to authorize the construction of a bridge across Fox river and Little Chute.

No. 91, S., a bill to vacate a part of a street in the village of Strongville, Marquette county.

No. 93, S., a bill to appropriate to Barstow and Hatch the sum therein named.

No. 94, S., a bill appropriating Fratney & Herzberg the sum therein named.

No. 95, S., a bill appropriating James W. Seaton, the sum therein named.

No. 96, S., a bill to appropriate Kund Langland the sum therein named.

No. 97, S., a bill appropriating S. M. Booth the sum therein named.

No. 100, S., a bill to amend part 2, section 4, chapter 15 of the revised statutes.

No. 102, S:, a bill to appropriate Edward H. Rudd the sum therein named, and

No. 109, S., a bill to incorporate the Milwaukee and Green Bay plank road company,

Were severally read the 1st and 2d time.

The amendments of the senate to said bills No 167 and 178 *a.*,

Were severally concurred in.

No. 14, *a.*, a bill to limit the quantity of land hereafter to be held or owned by any one person,

Was read a third time.

And the question being on the passage thereof, Mr. Briggs moved that said bill be referred to the committee on judiciary, with instructions to investigate how far said bill may affect vested rights and if found to affect such rights, to make all necessary amendments,

Which was disagreed to,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Biddlecome, Bird, Boyce, Briggs, Chase, Cole, Doran, Eastman, French, Fuller, Gifford, H. Johnson, J. B. Johnson, Jones, Murphy, Olmstead, Perkins, Rodolf, Smith, Spooner, Tohl, Walker and Horn (Speaker)—24.

Those who voted in the negative, were

Messrs Barnett, Bjornsen, Bradley, Cavney, Clothier, Cone, Easton, Estabrook, Everly, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, Julius, Kinney, Lessey, Lowth, Malmros, Moorman, Muzzy, Osborne, Price, Ray, Seaver, Snover, Stock, Tinker, Tompkins, Utley, Van Vleit, Vincent, Whitton, Wilson, and Wing—36.

On motion of Mr. Tompkins,

Mr. Tregaskis had leave of absence for one week.

On motion of Mr. Chase,

The assembly adjourned until 3 oclock, P. M.

THREE O'CLOCK, P. M.

The pending question being on the passage of said bill No 14, *a.*,

The same was under consideration for some time, and the question still pending,

On motion of Mr. Jenkins,

The assembly adjourned.

FRIDAY, Feb. 14th, 10, A. M.

Prayer by the Rev. Mr. Lord.

Pending the reading of the Journal of yesterday,

On motion of Mr. Groot,

The further reading thereof was dispensed with.

Petitions were preseuted and severally referred as follows:

By Mr. Barnett,

The petition of Cyrus Pasko and others in relation to the writ of Habeas Corpus.

Also,

The petition of Cyrus Pasko and others, for action to be taken in reference to an amendment to the Constitution:

Referred to committee on Judiciary.

By Mr. Eastman,

The petition of Lester Rounds and others for a state road from Eureka to Plover Portage;

Referred to committee on roads and bridges.

By Mr. Osborne,

The petition of Richard Carlile and others for an amendment or repeal of the present liquor law;

Referred to committee on charitable and religious institutions.

By Mr. Tinker,

Sundry petitions for the suppression of the sale of intoxicating liquors, as a beverage.

Referred to committee on charitable and religious institutions.

Mr. Estabrook presented a communication from the circuit clerk of Kenosha county, in relation to the comparative expenses of Circuit and County Courts;

Which was read,

Mr. Moorman on leave granted, introduced

M. No. 9, *a.*, a memorial to Congress to aid in the improvement of the Upper Wisconsin river.

Which was read the first and second times.

Bills were introduced on leave granted, severally read the first and second time, and referred, as follows :

By Mr. Waldo, bill

No. 200, *a.*, a bill to authorize Thomas J. Townsend to keep a Ferry across Fox river ;

Referred to committee on roads and bridges.

Also, bill

No. 201, *a.*, a bill providing for the division of Marquette county and the erection of the county of Menomonee ;

Referred to committee on Town and County Organization.

By Mr. Bradley, bill

No. 202, *a.*, a bill to incorporate the Portage Bridge Company ;

Also, bill

No. 203, *a.*, a bill to lay out a state road therein named;

Also, bill

No. 204, *a.*, a bill to amend an act entitled "an act authorizing Hugh McFarlane and Robert V. Allen to build a bridge across the Wisconsin river ;

Referred to committee on roads and bridges.

By Mr. Eastman, bill

No, 205, *a.*, a bill to extend the limits of the town of Rushford in the county of Winnebago ;

Referred to committee on town and county organization, and the printing thereof dispensed with.

By Mr. Osborne, bill

No. 206, *a.*, a bill to amend section 8 of chap. 5 of the revised statutes ;

Referred to committee on judiciary.

By Mr. Rodolf, bill

No. 267, *a.*, a bill to incorporate the Richland city bridge company in Richland county.

Referred to committee on incorporations.

Mr. Bjornsen introduced the following preamble and resolution:

Whereas, A bill is now before the assembly, the object of which is, from a certain period hereafter to limit the quantity of land that any person within this state may become owner of, and whereas doubt is entertained by some, that if said bill becomes a law, such law will conflict with the constitution of the state of Wisconsin, Therefore,

Resolved, That the attorney general of this state be, and he is hereby requested, immediately to communicate to this legislative assembly his opinion as to the constitutionality or unconstitutionality of the passage of such law, and whether it does in any of its features, conflict with the constitution of the United States, or the constitution of the State of Wisconsin; and the chief clerk of this assembly is hereby requested immediately after the passage of this resolution, to transmit a copy thereof to the attorney general, and also a copy of said bill.

And the rules having been suspended for the purpose of the present consideration of said preamble and resolution,

They were considered and adopted.

Mr. Estabrook from the committee on judiciary to whom the same was referred, reported back

No. 198. *a.*, a bill to amend chapter 192 of the session laws of 1850, entitled "an act to amend the law concerning county courts," approved Feb. 9, 1850.

With an amendment,

And recommended the passage of said bill.

Mr. Rodolf, from the committee on town and county organization, reported bill

No. 208, *a.*, a bill to alter the boundary lines of the towns of Center, Fayette and Wiota in the county of La Fayette;

Which was read the first and second time.

Mr. Cole moved that all rules be suspended for the purpose, and that said bill be read a third time now,

Which was agreed to.

And said bill was read a third time, passed,

And the title agreed to.

On motion of Mr. Price,

The rule requiring bills to be printed before being considered in a committee of the whole, in relation to bill

No. 134, *a.*, a bill to lay out and open a state road from Depere in Brown county, to Willow river in St. Croix county.

Was suspended.

The message from the senate was taken up and considered.

The amendment of the senate to bill

No. 35, *a.*, a bill to provide for the more speedy collection and payment of fines, forfeitures and penalties remaining in the hands of justices of the peace;

Was concurred in.

Mr. Spooner moved that bill

No. 48, S., a bill to pay Robert L. Ream the sum therein named;

Be taken from the table and referred to the committee on claims.

Which was agreed to.

Mr. Murphy moved that the rules be suspended for the purpose, and that bill

No. 188, *a.*, a bill to amend an act entitled "an act to incorporate the village of Sheboygan;

Be read a third time now,

Which was agreed to.

And said bill was read a third time, passed

And the title agreed to.

Mr. Wilson moved that the rules be suspended for the further consideration now of bill

No. 14, *a.*, a bill to limit the quantity of land hereafter to be held or owned by any one person,

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barnett, Cavney, Cone, Doran, Easton, Estabrook, French, Gifford, Groot, Hale, Henning, Jenkins, Julius, Moore, Moorman, Murphy, Muzzy, Osborne, Price, Seaver, Snover, Stock, Tinker, Tohl, Tompkins, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson and Wing—33.

Those who voted in the negative, were

Messrs. Bannister, Biddlecome, Bird, Bjornsen, Briggs, Chase, Clothier, Cole, Eastman, Fuller, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Lessey, Olmstead, Perkins, Rodolf, Rogan, Smith, Spooner and Horn (speaker)—24.

The following bills and memorials, to wit:

No. 85, *a.*, a bill to legalize the organization and acts of school district No. 2. in the town of Newark, in Rock county,

No. 87, *a.*, a bill to legalize the organization and acts of school district No. 4, in the town of Plymouth, Rock county,

No. 90, *a.*, a bill to provide for the time of holding county courts in the county of Marathon.

No. 104, *a.*, a bill to authorize J. & G. Tomlinson to construct a mill race in the village of Port Washington.

No. 105, *a.*, a bill to provide for laying out and establishing a state road from Token Creek to Fort Winnebago.

No. 106, *a.*, a bill to lay out and establish a state road therein described.

M. No. 3, *a.*, a memorial to Congress in relation to the improvement of the Portland canal in the state of Kentucky.

And

M. No. 5., *a.*, a memorial to the President of the United States, in relation to settlers on pine lands,

Were severally read a third time, passed and the title agreed to.

No. 89, *a.*, a bill to appropriate H. Van Dusen the sum therein named,

Was read a third time.

And the question being on the passage thereof,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Brig gs, Cavney, Chase, Clothier, Cole, Cone. Doran Eastman, Easton, Estabrook, French, Fuller, Gifford, Groot Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Lessey, Malmros Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Rogan, Seaver, Spooner, Stock, Snover Smith, Tinker, Tompkins, Utley, Van Vliet, Waldo, Walker, Whitton, Wing and Horn. [Speaker,]—56.

Those who voted in the negative were,

Messrs. Tohl. and Vincent—2.

The title was agreed to.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Jenkins in the chair.

And after some time spent therein,

The committee rose and by their chairman reported bills,

No. 52, S.; a bill to appropriate to G. W. Gillett a certain sum of money.

No. 56, S., a bill to incorporate the Watertown and Waterloo, plank road company.

No. 60, S., a bill to appropriate Rev. Wesley Lattin the sum therein named.

No. 64, S., a bill to amend an act entitled an act granting to Marcus Warren and Moses J. Calkins the right to keep and maintain a ferry across the Wisconsin river.

No. 73, S., a bill to appropriate to Morritz Shœffler the sum therein named.

No. 74, S., a bill to appropriate Morritz Shœffler the sum therein named.

No. 76, S., a bill to extend the corporate limits of the city of Kenosha.

No. 83, S., a bill to appropriate Geo. H. Slaughter, the sum therein named.

No. 84. S., a bill to appropriate Timothy Burns the sum therein named.

And

No. 123, *a.*, a bill to amend an act entitled "an act to incorporate the Wisconsin bridge company.

Without amendment.

And bill

No. 78, S., a bill to incorporate the Milwaukee and Fond du Lac rail road company.

With an amendment.

And also reported progress on the general file of bills, and asked leave to sit again.

Leave was granted.

A message from the senate by Wm. Hull, Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that senate has passed.

No. 50, S., a bill to change the system of county government.

And

No. 111, S., a bill to appropriate to the county of Waukesha the sum therein named,

In which the concurrence of assembly is requested.

The report of the committee of the whole, being under consideration,

Said bills No. 52, 60, 64, 73, 74, 76, 83, and 84, S.,

Were severally ordered to be read a third time.

The question being on ordering said bill No. 56, S., to be read a third time,

Mr. Rogan moved that said bill be referred to the committee on incorporations;

Which was agreed to.

Said bill No. 123, *a.*, was ordered to be engrossed and read a third time.

The amendment of the committee of the whole to said bill No. 78, S.,

Was concurred in.

And said bill was ordered to be read a third time.

Mr. Bannister, from the committee on enrollments. reported as correctly enrolled bills,

No. 24, *a.*, a bill to amend chapter 112 of the Revised Statutes, relative to proceedings in attachment

No. 59, *a.*, a bill making an appropriation for the payment of canal bond no. 54.

No. 60. *a.*, a bill making an appropriation for the payment of canal bonds nos. 55, and 56.

No. 72, *a.*, a bill to authorize the construction of a dam across the Milwaukee river.

No. 80, *a.*, a bill to amend an act entitled, an act to incorporate the Winnebago Lake and Fox river road company, approved March 13, 1848.

No. 83, *a.*, a bill to amend an act authorizing the laying out of a state road from Sheboygan to Madison.

No. 159, *a.*, a bill to vacate certain lots in the village of Saukville, Washington county.

And,

No. 29, S., a bill to incorporate the Green Bay, Milwaukee and Chicago rail road company.

Which said enrolled bills were severally signed by the speaker.

Mr. Cone moved that the rules be suspended for the purpose, and that the message from the senate be taken up and considered.

Which was agreed to.

And said bills no. 50. and 111, S., were severally read the first and second time.

On motion of Mr. Tompkins,

Said bill No. 111, S., was referred to the committee on claims.

Messrs. Everly, Lowth and Seaver had each leave of absence for one week.

On motion of Mr. Briggs,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

Mr. Chase moved that bills,

No. 54, *a.*, a bill to remit the interest on canal bonds and mortgages therein mentioned.

And

No. 79, *a.*, a bill relative to the release of one or more joint debtors ;

Be taken from the table and returned to the general file of bills.

Which was agreed to.

Mr. Rogan, from the committee on claims, to whom the same was referred, reported back bill,

No. 111, S., a bill to appropriate the county of Waukesha the sum therein named.

Without amendment.

And recommended the passage thereof.

Mr. Estabrook moved that the rules be suspended, for the further consideration now of said bill no. 14, *a.*,

Which was agreed to.

The question being on the passage of said bill,

Pending the same,

On motion of Mr. Biddlecome,

The assembly adjourned.

SATURDAY, Feb. 15th,—10 A. M

Prayer by the Rev. Mr. Woodward.

Pending the reading of the journal of yesterday,

On motion of Mr. Malmros,

The further reading of the same was dispensed with.

Petitions and remonstrances were presented and severally referred as follows .

By Mr. Tinker,

Sundry petitions of the inhabitants of the State of Wisconsin, for a law suppressing the sale of intoxicating liquors as a beverage .

Referred to committee on charitable and religious institutions.

By Mr. Hale,

The remonstrance of Warren Chase and 39 others, against changing the name of the town of Ceresco ;

Referred to committee of the whole.

By Mr. Rogan,

The petition of Myron B. Williams, and others, of the village of Watertown, Jefferson county, for a law authorizing the holding of alternate terms of the county court of said county, at the village of Watertown ;

Referred to committee on Judiciary.

Also,

The petition of S. H. Taylor and 53 others, inhabitants of the town of Watertown, in Jefferson county. for a law to prohibit the sale of ardent spirits ;

Referred to committee on charitable and religious institutions.

By Mr. Bannister,

The petition of L. P. Harvey and 34 others of the town of

Turtle, Rock county, for a law restricting the rate of interest not to exceed 12 per cent;

Referred to committee on judiciary.

By Mr. Murphy,

The petition of William West and others, for the change of the name of the village of Plymouth in the county of Sheboygan;

Referred to committee on town and county organization.

By Mr. Van Vliet,

Sundry remonstrances of citizens of Racine county, with 103 signatures, against the removal of the county seat of said county,

Referred to committee on town and county organization.

By Mr. Jenkins,

The petition of 210 citizens of the second ward of Milwaukee, for a division of said ward;

Referred to a select committee consisting of the members from Milwaukee county.

Mr. Malmros introduced the following resolution:

Resolved, That the Chief Clerk be instructed to write to the clerk of the board of county supervisors of the several counties of this state, requesting them to inform the Speaker of the assembly, immediately, of all new towns formed in their respective counties since the census was taken.

And the rules having been suspended for the present consideration of said resolution,

It was considered and adopted.

Bills were introduced, on leave granted, severally read the first and second time, and referred, as follows:

By Mr. Moorman, bill

No. 209, *a.*, a bill to authorize a tax to build a school house,

Referred to committee on education and school lands.

By Mr. Rogan, bill

No. 210, *a.*, a bill to amend an act entitled an act to pro-

vide for the continuation of the Lisbon and Milwaukee plank road to Watertown and Madison ;

Referred to committee on incorporations.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bill

No. 23, *a.*, a bill to amend chapter 19, of title 7, part 1, of Revised Statutes.

Mr. Easton, from the committee on education and school lands, reported bill

No. 211, *a.*, a bill to confer certain powers upon organized school districts, and for other purposes.

Which was read the first and second time.

Mr. Stock, from same committee reported bill

No. 212, *a.*, a bill to establish the Cascade Academy.

Which was read the first and second time.

Mr. Rodolf, from the committee on town and county organization, to whom the same were referred, reported back bill,

No. 136, *a.*, a bill to attach a portion of Brown county to the county of Winnebago,

With a recommendation that no further action be had in relation to it.

And bill,

No. 205, *a.*, a bill to extend the limits of the town of Rushford in the county of Winnebago.

Without amendment,

Recommending the passage of said bill.

And also reported a substitute to bill,

No. 163, *a.*, a bill to amend section 16, chapter, 134, title 30, part 4, of the Revised Statutes,

And also asked that said committee be discharged from the consideration of the memorial of the Kenosha County Agricultural society, for a tax on dogs, and that the same be referred to the committee on agriculture and commerce.

The committee was discharged from the further consideration of said memorial, and it was so referred.

And also asked to be discharged from the further consider-

ation of sundry petitions for a change in the system of county government.

Which was agreed to.

Mr. Murphy, from the select committee to whom the same was referred, reported back bill,

No. 164, *a.*, a bill to amend section 1, of chapter 43, of the Revised Statutes.

Without amendment,

And recommended the passage of said bill.

Mr. Eastman moved that the rule requiring bills to be printed before being considered in committee of the whole, be suspended in relation to said bill No. 163, *a.*,

Which was agreed to.

The following bills, to wit:

No. 64, S., a bill to amend an act entitled, "an act granting to Marcus Warren and Moses S., Calkins the right to keep and maintain a ferry across the Wisconsin river."

No. 78, S., a bill to incorporate the Milwaukee and Fond du Lac rail road company.

No. 76, S., a bill to extend the corporate limits of the city of Kenosha.

And said bill No. 23, *a.*,

Were severally read a third time, passed,

And the titles agreed to.

No. 54, *a.*, a bill to remit the interest on canal bonds and mortgages,

Was read a third time,

And the question being on the passage thereof,

Mr. Tohl moved that it be laid on the table.

Which was agreed to.

No. 52, S., a bill to appropriate to G. W. Gillett, a certain sum of money.

Was read a third time.

And the question being on the passage thereof,

Mr. Murphy moved that it be laid on the table.

Which was agreed to.

No. 60, S., a bill to appropriate Rev. Wesley Lattin the sum therein named,

Was read a third time.

And the question on the passage thereof,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Briggs, Cavney, Chase, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson. J. B. Johnson, Jones, Julius, Kinney, Lessey, Malmros, Moore, Murphy, Perkins, Rogan, Smith, Stock, Tinker, Tohl, Tompkins, Utley, Van Vliet, Waldo, Walker, Whitton, Wing and Horn (Speaker,)—44.

Those who voted in the negative were,

Messrs, Clothier, French, Gifford, Moorman, Muzzy, Price, Rodolf, Snover, and Wilson—9.

The title of said bill was agreed to.

No. 73, S., a bill to appropriate Morritz Shoeffler the sum therein named,

Was read a third time,

And the question on the passage thereof,

Was decided in the affirmative,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, Jones, Julius, Kinney, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Osborne, Perkins, Price, Rodolf, Rogan, Smith, Snover, Stock, Tinker, Tohl, Tompkins, Utley, Van Vliet, Waldo, Whitton, Wilson and Horn (Speaker,)—52.

Those who voted in the negative were,

Messrs. J. B. Johnson, Walker, and Wing—3.

The title of said bill was agreed to.

No, 83, S., a bill to appropriate Geo. H. Slaughter the sum therein named,

Was read a third time.

And the question on the passage thereof

Was decided in the affirmatlve.

Those who voted in the affirmative, were

Messrs. Bannister, Biddlecome, Bird, Bjornsen, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Hr Johnson, J. B. Johnson, Jones, Julius, Kinney, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Osborne, Perkins, Price, Rodolf, Smith, Snover, Stock, Tinker, Tohl, Tompkins, Utley, Van Vliet, Waldo, Walker, Whitton Wilson, Wing and Horn (Speaker) —52.

Mr. Rogan voted in the negative—1.

The title of said bill was agreed to.

No. 47, S., a bill to appropriate Morritz Shoeffler, the sum therein named ;

Was read a third time.

And the question on the passage thereof,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Bird, Biddlecome, Bjornsen, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick. Doran, Eastman, Easton, Estabrook, French, Fuller, Gifford, Groot, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Osborne, Perkins, Price, Rodolf, Rogan, Smith, Snover, Stock, Tinker, Tohl, Tompkins, Utley, Van, Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (Speaker,)—52.

Mr. Hale voted in the negative .

The title of said bill was agreed to.

No. 84, S., a bill to appropriate Timothy Burns the sum therein named,

Was read a third time.

And the question being on the passage thereof,

Mr. Bird moved that it be referred to committee on claims.

Which was agreed to.

Mr. Chase moved that bill No. 79, *a.*, relative to the release of one or more joint debtors.

Be taken from the files and referred to a select committee;

Which was agreed to,

Messrs. Doran, Murphy, and Bird were appointed such committee.

Mr. Lessey, moved that bill No. 17, S., a bill to divide the county of Brown and create the county of Outagamie,

Be taken up,

Which was agreed to.

And the question being on the passage of said bill,

It was decided in the affirmative.

And the title of said bill was agreed to.

Mr. Lessey moved that all rules be suspended for the present consideration of bill,

No. 143, *a.*, a bill to legalize the organization and acts of school district no. 4, in the town of Grand Chute, in the county of Brown, and to change the name of the same.

Which was agreed to.

And the said bill was read a third time.

The question being on the passage of said bill,

Mr. Lessey had unanimous leave to amend the same by striking out all after the enacting clause and inserting as follows :

Sec. 1. The organization and acts of the original school district no. 4, in the town of Grand Chute, Brown county, being the district bounded as follows : commencing at the division line between Appleton and Martin, thence running north to the subdivision line of section twenty-six, thence west to the quarter stake on the west line of section twenty-six, thence north to the north-west quarter of section twenty-six, thence east to the south-west corner of section twenty-four, thence north to the quarter stake on the west line of section twenty-four, thence east to the quarter stake on the

east line of section twenty-four, thence south to the Fox river, thence up the river to the place of beginning: together with the acts since had under the said organization by any of the officers of said school district, are hereby declared to be legal and valid, and of as full force and effect as if all the requirements of the law had been fully complied with.

Sec. 2. Any tax which may have been assessed in said school district shall and may be levied and collected in the same manner as is now provided by law.

Sec. 3. The name of said school district is hereby changed to school district, no. 6, and this act shall take effect and be in force after its passage.

The question on the passage of said bill

Was then put.

And decided in the affirmative.

The title of the bill was agreed to.

Mr. Moorman from the committee on privileges and elections, submitted a report and accompanying resolutions.

Which on motion were laid on the table.

On motion of Mr. Biddlecome,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. Briggs in the chair,

And after some time spent therein,

The committee rose and by their chairman reported bills

No. 61, *a.*, a bill granting to Robert G. Hurst and Evred H. Erwin, the right to maintain a ferry across the Wisconsin river.

No. 63, *a.*, a bill to amend chapter 82 of the revised statutes.

No. 70, *a.*, a bill to attach a certain territory therein named, to the county of Brown.

No. 73, *a.*, a bill to authorize Alvin B. Carpenter to build a dam across Sugar river.

No. 82, *a.*, a bill to extend the time for collecting taxes in the town of Pleasant Spring in Dane county,

And,

No. 134, *a.*, a bill to lay out and open a state road from Depere in Brown county, to Willow River in St. Croix co.

With amendments,

And bills

No 46, S., a bill to repeal an act entitled "an act to organize the town of Monticello, in the county of Lafayette.

No. 86, S., a bill to establish the Baraboo academy.

No. 87, S., a bill to provide for the organization of electric telegraph companies.

No. 88, S., a bill to authorize the construction of a bridge across Fox River at Grand Chute.

No. 89, S., a bill to authorize the construction of a bridge across Fox river at Grand Kaukana.

No. 34, *a.*, a bill to repeal section 33 and 34 of chapter 131 of part 3, title 29 of the revised statutes.

No. 65, *a.*, a bill to authorize Merrick Murphy and his associates to build a dam across the Oconto river.

No. 78, *a.*, a bill to incorporate the village of Manitowoc.

No. 92, *a.*, a bill to declare a certain road in the town of Watertown a lawful highway.

No. 94, *a.*, a bill to incorporate the Female Normal institute and high school at Milwaukee.

No. 101, *a.*, a bill to incorporate the Cassville and Dodgeville Railroad company.

No. 102, *a.*, a bill to lay out a state road from the village of Madison in the county of Dane, to the 1-4 stake on section no. 36, town no. 9 north, of range no. 2 east. in the county of Richland.

No. 121, *a.*, a bill to extend the eastern boundary of Portage county.

No. 130, *a.*, a bill to appropriate Ole Torgerson the sum therein named.

No. 132, *a.*, a bill to appropriate Ira B. Brunson the sum therein named,

And

No. 140, *a.*, a bill to change the name of Sarah Rapé to Sarah Vroman.

Without amendment,

And also reported progress on the general file of bills,

And asked leave to sit again.

Leave was granted.

A message from the senate by Wm. Hull Esq., their chief clerk :

Mr. Speaker—

I am directed to inform you that senate has concurred in the passage of

No. 30, *a.*, a bill to pay John F. Lessey the sums therein named,

Without amendment,

And have passed

No. 103, S.. a bill to amend an act entitled " an act to incorporate the city of Kenosha, approved Feb. 8, 1850, and

No. 65, S., a bill to repeal a part of an act entitled an act to incorporate the Wisconsin bridge company.

In which the concurrence of assembly is requested.

The report of the committee of the whole being under consideration,

The amendments of the committee to said bills No. 61, 63 and 82, *a.*,

Were concurred in.

And said bills No. 61, 63, and 82, *a.*, were severally ordered to be engrossed and read a third time.

The amendment of the committee to said bill No. 70, S., which was to strike out the enacting clause,

Was concurred in.

And said bill was laid on the table.

Said bills Nos. 34, 65, 78, 92, 94, 103, 121, 130 and 140, *a.*,

Were severally ordered to be engrossed and read a third time.

The question being on ordering said bill No. 132, *a.*, to be engrossed and read a third time,

Mr. Bird moved that said bill be laid on the table;

Which was disagreed to.

And said bill was ordered to be engrossed and read a third time.

The amendments of the committee to said bill No. 73, *a.*,

Were concurred in.

And the question being on ordering said bill to be engrossed and read a third time;

Mr. Bjornsen moved to amend the same by an additional section, as follows:

Sec. 2. This act shall not be so construed as to release said Alvin B. Carpenter, his heirs or assigns, from any damage that any individual or individuals may sustain by the erection of such dam;

Which was agreed to.

And said bill was ordered to be engrossed and read a third time.

The question being on ordering said bill No. 101, *a.*, to be engrossed and read a third time,

Mr. Briggs moved to amend the same, by adding the following sections:

Sec. 23. It shall be lawful for said company to purchase land adjacent to the rail road, for the purpose of procuring the earth, gravel or other material for embankment, and structure necessary for construction or repair of said road, and whenever said lands shall be no longer needed for the purposes aforesaid, the said company shall have power to sell and convey the same.

Sec. 24. After the seven hundred shares hereinbefore named shall have been subscribed, and the sum of five dollars on each share actually paid in, the stockholders owning a majority in value of all the stock in said incorporation, may locate the beginning of said rail road at the village of Wyoming in Grant county, but before any such location shall be

made at the aforesaid village of Wyoming; a special meeting of the stockholders shall be held for that purpose, and if the stockholders owning a majority in value of all the stock of said incorporation shall vote either in person or by lawful proxy, that the beginning of said rail road shall be located at the aforesaid village of Wyoming then said rail road herein authorized to be constructed, shall begin at the aforesaid village, and such vote shall be final thereon, section nine of this act to the contrary notwithstanding. But, before any such meeting shall be held, at least 30 days notice thereof shall be given, published in the newspapers hereinbefore named, and said notice shall state the time when, and place where such meeting shall be held.

Which amendment was adopted.

And said bill was ordered to be engrossed and read a third time.

Said bills No. 86, 87. 88 and 89, S.,

Were severally ordered to be read a third time.

The question being on ordering said bill No. 46, S., to be read a third time,

On motion of Mr. Cole,

Said bill was returned to the files.

The amendments of the committee of the whole to said bill No. 134, *a.*,

Were concurred in.

And the question being on ordering said bill to be engrossed and read a third time,

On motion of Mr. Moorman,

Said bill was returned to the file of bills.

Mr. Jenkins, on leave granted, introduced bill

No. 313. *a.*, a bill to provide for the fees of sheriffs.

Which was read the first and second times.

And referred to committee on judiciary.

Mr. Jenkins moved that the rules be suspended for the purpose,

And that said bill No. 65, *a.*, be read a third time now;

Which was agreed to.

And said bill was read a third time, passed, and the title agreed to.

Mr. Smith moved that bill

No. 96, *a.*, a bill to provide for laying out and establishing the several state roads therein named,

Be referred to the committee on judiciary;

Which was agreed to.

The bills and memorials signed by the speaker yesterday were to-day transmitted to the senate.

On motion of Mr. Jenkins,

The assembly adjourned.

MONDAY, Feb. 17, 10 A. M.

Prayer by Rev. Wesley Lattin.

Pending the reading of the journal of Saturday, the 15th inst.,

On motion of Mr. Chase,

The further reading thereof was dispensed with.

Petitions were presented and severally referred, as follows:

By Mr. Tinker,

Sundry petitions for the suppression of the sale of intoxicating liquors as a beverage;

Referred to committee on charitable and religious institutions.

By Mr. Clothier,

The petition of Jacob Skinner and 17 others, for a law lim-

iting the number of children hereafter to be born, in each family to FOUR ! ! !

Referred to committee on charitable and religious institutions.

By Mr. Julius,

The petition of inhabitants of Taycheedah, for the repea of the present liquor law ;

Referred to the select committee in charge of that subject.

By Mr. Muzzy,

The petition of Isaac Noys and 54 others, for the repeal of the present interest law, and for the passage of a usury law at 7 per cent ;

Referred to committee on judiciary.

By Mr. Waldo,

The petition of J. H. Hubbard and others, for a state road from Marquette to Princeton in Marquette county ;

Referred to committee on roads and bridges.

By Mr. Moore,

The petition of W. Fletcher and 47 others, of Washington and Sheboygan counties, for a state road from West Bend to Sheboygan Falls ;

Referred to committee on roads and bridges.

By Mr. Tompkins,

The petition of C. W. Seaver and 50 others, for the passage of a law giving them the privilege of building a church and school house on the public square in the village of Waucoma in the town of Porter and county of Rock ;

Referred to committee on incorporations.

By Mr. Utley,

The petition of citizens of Racine, against the removal of the county seat of said county ,

Referred to committee on town and county organization.

By Mr. Rogan,

The petition of Frederick Rukur and others, inhabitants of the town of Watertown in Jefferson county, for the passage of a stringent usury law ;

Referred to committee on judiciary.

Also,

The remonstrance of Samuel Ringwood and others, of Watertown, Jefferson county, against the passage of any law prohibiting the sale of spirituous liquors;

Referred to committee on charitable and religious institutions.

Mr. Chase gave notice that he would introduce to-morrow, a resolution proposing an amendment of Rule XXXVI of the assembly.

Mr. Bannister moved that the rules be suspended for the introduction of the following resolution:

Resolved, That Rule XLV, so far as it relates to the printing of bills &c., be suspended during the remainder of the session, except when otherwise specially ordered.

Which was agreed to.

And the said resolution having been read,

Further moved that the rules be suspended for the immediate consideration of the same.

Which was not agreed to.

Mr. Spooner introduced the following resolution:

Resolved, That the use of the assembly hall be granted to Mr. E. Daniells, this evening, for the purpose of giving a lecture on the science of geology;

And moved that the rules be suspended for the immediate consideration thereof.

Which was agreed to.

And it was considered and adopted.

Bills were introduced, on leave granted, severally read the first and second time, and referred as follows:

By Mr. Tompkins, bill

No. 214, *a.*, a bill to pay William H. Howard the sum therein named,

Referred to committee on judiciary.

By Mr. Eastman, bill

No. 215, *a.*, a bill to vacate a part of the town plat of the village of Oshkosh and to legalize a subsequent survey;

Referred to committee on judiciary.

By Mr. Hale, bill

No. 216, *a.*, a bill to permit certain animals to run at large;

Referred to committee on agriculture and commerce.

By Mr. J. B. Johnson, bill

No. 217, *a.*, a bill declaring a certain road in the village of Hazel Green, a public highway;

Referred to committee on incorporations.

Mr. Moore, on leave granted, introduced bill,

No. 218, *a.*, a bill to vacate part of a street in the village of Port Washington;

Which was read the first and second time.

And all rules having first been suspended for the purpose, said bill.

Was read a third time.

The question on the passage of said bill,

Was decided in the affirmative.

And the title of said bill agreed to.

A message from the Senate, by Wm. Hull, Esq., their chief clerk;

Mr. Speaker—

I am directed to inform you that senate has concurred in the passage of

No. 99, S., a bill to incorporate the Milwaukee and Watertown rail road company.

No., 118, S., a bill to amend chapter 131, section 37, of the Revised Statutes: and

No, 121, S., a bill to authorize the laying out of a state road in Sauk county.

In which the concurrence of the assembly is requested.

Mr. Tompkins moved that the rules concerning printing bills, be suspended as to said bill No. 214, *a.*,

Which was agreed to.

Mr. Waldo, on leave granted, introduced bill

No. 219, *a.*, a bill to apportion to the counties of Marquette and St. Croix, their proportions of the income of the school fund ;

Which was read the first and second time,

The rules having been suspended for the immediate reading of said bill a third time,

It was read a third time, passed and the title agreed to.

Bills were further introduced on leave granted, severally read the first and second time, and referred as follows :

By Mr. Rodolf,

No. 220, *a.*, a bill to lay out a state road from the village of Franklin, in Iowa county, to the village of Adams in Sauk county :

Referred to committee on roads and bridges.

By Mr. J. B. Johnson, bill

No. 221, *a.*, a bill to submit the question of a division of Grant county to a vote of the people ;

Referred to committee on town and county organization.

By Mr. Waldo, bill

No. 222, *a.*, a bill to authorize Ebenezer Dakin to build a dam across White river ;

Referred to committee on roads and bridges.

By Mr. Gifford, bill

No. 223, *a.*, a bill to legalize the acts of school district No. 4, in the town of Ottawa :

Referred to committee on judiciary.

Mr. Rogan, from the committee on claims, reported bill

No. 224, *a.*, a bill to appropriate to Albert G. Ellis the sum therein named.

Which was read the first and second times.

On motion of Mr. Tompkins,

The rule to print was suspended as to said bill no. 224, *a.*,

Mr. Henning, from the committee on engrossment, reported as correctly engrossed, bill

No. 123, *a.*, a bill to amend an act entitled, "an act to incorporate the Wisconsin bridge company.

Mr. Rogan, from the committee on incorporations, to whom the same was referred, reported back bill

No. 56, S., a bill to incorporate the Watertown and Waterloo plank road company.

Without amendment.

And recommended the passage of said bill.

And also asked that said committee be discharged from the further consideration of sundry petitions which were referred to said committee, for a charter to build a dam acros Fox river, and that the same be referred to the committee on internal improvements.

Which was agreed to.

Mr. Briggs, from the judiciary committee, submitted a minority report in relation to the petition of C. Latham Sholes, for further compensation on account of his publication of the Revised Statutes.

On motion of Mr. J. B. Johnson,

Said report was laid on the table, and the usual number of copies thereof ordered to be printed.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled the following bills :

No, 17, S., a bill to divide the county of Brown and create the county of Outagamie ,

No. 60. S., a bill to appropriate to Rev. Wesley Lattin ;

No. 64, S., a bill to amend an act entitled "an act granting to Marcus Warren and Moses S. Calkins the right to keep and maintain a ferry across the Wisconsin river," approved February 9, 1850 ;

No. 73, S., a bill to appropriate to Morritz Shoeffler the sum therein named ;

No. 74, S., a bill to appropriate to Morritz Shoeffler the sum therein named ;

No. 76 S., a bill to extend the corporate limits of the city of Kenosha ;

No. 83, S., a bill to appropriate to George H, Slaughter; And,

No. 167, *a.*, a bill to authorize the laying out of a road in Marquette and Brown counties.

And also reported that the committee had presented to the governor for his approval, acts entitled as follows:

An act to authorize the construction of a dam across the Milwaukee river;

An act to vacate certain lots in the village of Saukville Washington county;

An act to amend an act entitled, "an act to incorporate the Winnebago Lake and Fox river road company," approved March 13, 1848;

An act to amend chapter 112 of the Revised Statutes relative to proceedings in attachment;

An act to amend an act entitled "an act to authorize Eliphalet S. Miner and Henry Clinton to improve the navigation of Grand rapids in the Wisconsin river," approved January 29, 1847;

An act making an appropriation for the payment of canal bond no. 54;

An act to incorporate the county of Waukesha;

An act to amend an act authorizing the laying out of a state road from Sheboygan to Madison;

An act making an appropriation for the payment of canal bonds Nos. 55, and 56;

An act to incorporate the Packwaukee bridge company;

An act for the relief of the town of Depere in the county of Brown;

An act to incorporate the Green Bay, Milwaukee and Chicago rail road company;

An act to incorporate the county of Waupacca;

An act to appropriate to the county of Racine the sum of money therein named;

And

Memorial to Congress of the United States in relation to the establishment of a mail route; also,

From the select committee to whom the same was referred, reported back bill,

No. 18, *a.*, a bill relating to hawkers and peddlers.

With amendment,

And recommended its passage.

Said enrolled bills and memorial were signed by the speaker.

And thereupon were transmitted to the senate.

Mr. Rogan, from the committee on claims, to whom the same was referred, reported back bill,

No. 48, S., a bill to appropriate to Robert L. Ream the sum therein named,

Without amendment.

And recommended its passage.

Mr. Spooner, from the select committee to whom the same was referred, reported back bill

No. 38, *a.*, a bill relating to the assessment and taxation of personal and real property,

Without amendment,

And recommended its passage.

Mr. Briggs, from the select committee to whom the subject was referred, submitted the following report:

The undersigned, the select committee to whom were referred, sundry petitions for, and remonstrances against the division of Grant county, would respectfully report,

That they have examined the same, and find the number of petitions and remonstrances nearly equal. They therefore recommend that the legislature take no action upon the subject of the petitions and remonstrances, as any division would in their opinion, be impolitic and inexpedient.

Mr. Murphy, from the committee on University and University lands, to whom the same was referred, reported back bill

No. 182, *a.*, a bill to establish an agricultural department in the University of Wisconsin.

Without amendment.

And recommended its passage.

Mr. Tohl, from the committee on roads and bridges, to whom the same were referred, reported back bills,

No. 186, *a.*, a bill to protect plank, gravel, charcoal and McAdamized roads in the state of Wisconsin,

No. 200, *a.*, a bill to authorize Thomas J. Townsend to keep a ferry across Fox river,

No. 202, *a.*, a bill to incorporate the Portage bridge company.

No. 203, *a.*, a bill to lay out a state road therein named.

And

No. 204, *a.*, a bill to amend an act entitled "an act authorizing Hugh McFarlane and Robert V. Allen to build a bridge across the Wisconsin river ,

Without amendment.

And recommended their passage.

And also reported from same committee, bills,

No. 225, *a.*, a bill to provide for laying out and establishing certain roads therein named.

And

No. 226, *a.*, a bill to amend chap. 16, of the Revised Statutes relative to highways and bridges.

Which were severally read the 1st and second time.

Mr. Rodolf, from the committee on town and county organization, to whom was referred,

Sundry petitions of inhabitants of the unorganized parts of Winnebago and Marquette counties for the erection of a new county therefrom to be called Menomonee county ;

Asked to be discharged from the further consideration of the same.

The committee was so discharged.

Mr. Rogan moved that the rules be suspended, and that said bill No. 48, S., be read a third time now,

Which was agreed to.

And said bill was read a third time.

And the question on the passage thereof,

Was decided in the affirmative,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Price, Ray, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (Speaker,)—59.

None voted in the negative.

The title of the bill was agreed to.

Mr. Lessey moved that the rules be suspended for the purpose, and that said bill No. 224, *a.*, be read a third time now.

Which was agreed to.

And said bill was read a third time.

And the question on the passage thereof,

Mr. Rodolf moved that said bill be recommitted to the committee on claims.

Which was agreed to.

The question being on the passage of said bill,

Was then put.

Was decided in the affirmative,

Those who voted in the affirmative were,

Messrs. Bannister, Bird, Bjornsen, Boyce, Bradley, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Osborne, Price, Ray, Rodolf, Rogan, Smith, Snover, Stock, Tinker, Tohl, Tomp-

kins, Utley, Van Vliet, Waldo, Walker, Wilson, Wing, and Horn (Speaker)—47.

Those who voted in the negative were,

Messrs. Biddlecome, Briggs, French, Gifford, Jones and Whitton—6.

The title of the bill was agreed to.

The messages from the senate were taken up and considered,

And the following blls, to wit;

No. 65, S., a bill to repeal a part of an act to incorporate the Wisconsin bridge company ,

No. 99, S., a bill to incorporate the Milwaukee and Watertown rail road company .

No. 103, S., a bill to amend an act entitled, "an act to incorporate the city of Kenosha," approved Feb. 8, 1850.

No. 118, S., a bill to amend chapter 131, section 7, of the Revised Statutes ;

And

No. 121, S., a bill to authorize the laying out of a state road in Sauk county ;

Were severally read the first and second times.

No. 14, *a.*, a bill to limit the quantity of land hereafter to be held or owned by any one person,

Was taken up.

And the question being on its passage,

Mr. Walker moved that said bill be laid aside for the present.

Which was agreed to.

The following bills, to wit :

No. 86, S., a bill to establish the Baraboo Academy ;

No, 87, S., a bill to provide for the organization of electric telegraph companies ;

No. 88, S., a bill to authorize the construction of a toll bridge across Fox river at Grand Chute .

No. 89, S., a bill to authorize the construction of a bridge across Fox river, at Grand Kaukana ;

No. 28, *a.*, a bill to incorporate the Milwaukee and Humboldt plank road company ;

And

No. 123, *a.*, a bill to amend an act entitled an act to incorporate the Wisconsin bridge company ;

Were severally read a third time, passed,

And the titles agreed to.

No. 134, *a.*, a bill to lay out and open a state road from Depere in Brown county, to Willow river in St, Croix county,

Was taken up.

And the question being on ordering said bill to be engrossed and read a third time,

Mr. Barnett moved to amend the same, by striking out the 3rd and 4th sections.

And the question being on agreeing to said amendments,

On motion of Mr. Spooner,

Said bill was referred to the committee on judiciary.

Mr. Estabrook, from the committee on judiciary, to whom the same were referred, having leave to report, reported back bills,

No. 74, *a.*, a bill to amend chapter 88 of the Revised Statutes ;

And

No. 206, *a.*, a bill to amend section 8, of chapter 5, of the Revised Statutes,

Without amendment.

And bill,

No. 108, *a.*, a bill to purchase 100 copies of the reports of the supreme court of the territory of Wisconsin,

With amendment.

And recommended the passage of said bills.

And reported adversely to the passage of bills,

No. 84, *a.*, a bill for lands sold for taxes and not redeemed in time specified by law, to be sold by a decree of county or circuit courts ;

And

No. 156, *a.*, a bill to amend section 70, chapter, 16, of title 6, of the Revised Statutes,

And also reported bills

No. 227, *a.*, a bill to amend chapter 70 of the Revised Statutes,

And

No. 328, *a.*, a bill to amend chapter 88, of the Revised Statutes.

On motion of Mr. Tohl,

The assembly adjourned nntil 3 o'clock P. M.

THREE O'CLOCK, P M.

On motion of Mr. Ray,

The assembly resolved itself into committee of the whole for the consideration of the file of bills in which progress had been made by a committee of the whole;

Mr. Walker in the chair.

And after some time spent therein,

The committee rose and by their chairman reported bills

No. 37, *a.*, a bill to repeal chapter 86, title 22 of the revised statutes,

And

No. 55, *a.*, a bill to amend an act entitled, "an act to incorporate the city of Racine in the county of Racine;

With amendments;

And bill

No. 71, *a.*, a bill authorizing the sale of the unsold odd numbered sections of the Milwaukee and Rock River Canal Grant, for the use of schools,

Without amendment;

And also reported progress on the said file of bills,

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

The amendments of the committee to said bill,

No. 37. *a.*,

Were concurred in.

And the question being on ordering said bill to be engrossed and read a third time;

Mr. Chase moved that it be laid on the table,

Which was disagreed to.

The question on the engrossment and third reading of said bill,

Was then put,

And decided in the affirmative.

The amendments of the committee to said bill No. 55, *a.*,

Were concurred in.

And said bill was ordered to be engrossed and read a third time.

Said bill No. 71, *a.*, was also ordered to be engrossed and read a third time.

Said bill No. 14, *a.*, was taken up,

And the question being on its passage,

Mr. Wilson moved that the further consideration of said bill be postponed until Thursday next;

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Barnett, Boyce, Bradley, Cavney, Cole, Cone, Dick, Eastman, Easton, Estabrook, Groot, Hale, Hemenway, Henning, Julius, Malmros, Moore, Moorman, Muzzy, Osborne, Price, Ray, Snover, Stock, Tinker, Tohl, Utley, Whitton, and Wilson—29.

Those who voted in the negative were,

Messrs. Bannister, Biddlecome, Bird, Briggs, Chase, Clothier, Doran, French, Fuller, Gifford, H. Johnson, J. B. Johnson, Jones, Kinney, Lessey, Murphy, Olmstead, Perkins, Rodolf, Rogan, Smith, Spooner, Tompkins, Van Vliet, Walker, Wing and Horn [speaker]—28.

Mr. Lessey had leave to withdraw from the files, bill No. 136, *a.*, a bill to attach a portion of Brown county to the county of Winnebago.

Mr. Biddlecome moved that the assembly adjourn,

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Biddlecome, Bird, Bradley, Briggs, Cavney, Clothier, Doran, Eastman, Easton, Estabrook, French, Fuller, Hale, Henning, H. Johnson, J. B. Johnson, Lessey, Malmros, Moorman, Murphy, Olmstead, Osborne, Rodolf, Rogan, Spooner, Stock, Tinker, Utley and Horn [speaker]—29.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Boyce, Chase, Cole, Cone, Dick, Gifford, Groot, Hemenway, Hulburt, Jones, Julius, Kinney, Moore, Muzzy, Perkins, Price, Ray, Smith, Snover, Tompkins, Van Vliet, Walker, Whitton, Wilson and Wing—27.

TUESDAY, Feb. 18, 10 o'clock, A. M.

Prayer by the Rev. Mr. Eastchmann.

Pending the reading of the journal of yesterday,

On motion of Mr. Wilson,

The further reading thereof was dispensed with.

Petitions and remonstrances were presented and severally referred as follows:

By Mr. Seaver,

The petition of J. A. Hoxie and 14 others, for a law prohibiting the sale of intoxicating drinks as a beverage;

Referred to the committee on charitable and religious institutions.

By Mr. Estabrook,

The petition of J. Botsford and numerous other citizens of Hudson, Walworth county, for organization of a central township school.

Referred to the committee on education and school lands.

By Mr. Biddlecome,

The petition of A. W. Worth and J. A. Barber, for a certain sum of money to be refunded to Grant county;

Referred to judiciary committee.

By Mr. Ladue,

The petition of S. Wade and others, for the vacation of a certain street in the town plat of Green Bush, Sheboygan county;

Referred to committee on roads and bridges.

By Mr. Osborne,

The petition of John Bell and 39 others for a division of Milwaukee county;

Referred to committee on town and county organization.

By Mr. Rodolf,

The petitions of 120 citizens of Dane, Sauk, Richland and Crawford, for a State road from Madison, by Pine River Mills in Richland to Round Prairie in Crawford county,

Referred to the committee on roads and bridges.

By Mr. Muzzy,

The petition of C. B. Brown and 144 others, for the location of a state prison at Mayville, Dodge county;

Referred to committee on state prison.

By Mr. Moorman,

The petition of J. T. Kingston and 83 other citizens of Adams county, for a charter to keep and maintain a ferry across the Wisconsin River, at or near the Lone Rock in said river;

Referred to the committee on incorporations.

By Mr. Moorman,

The petition of J. T. Kingston and 85 others, of Adams county, for a road therein named;

Referred to the committee on roads and bridges.

By Mr. Utley.

The petition of the citizens of Racine in favor of the present location for the county buildings;

Referred to committee on town and county organization.

By Mr. Perkins,

The remonstrance of the Board of Directors of the Wisconsin Bridge company against the repeal of a part of said charter;

Referred to the committee on roads and bridges.

By Mr. Waldo,

The petition of Ezra Wheeler and 285 others, for the removal of the State Land office to Strongville, Marquette county.

Referred to committee on state affairs.

By Mr. Chase,

The petition of D. N. Patterson and 50 others, for a division of Milwaukee county.

Mr. Tompkins introduced the following resolution:

Resolved, That the use of this Hall be, and hereby is granted during the afternoon and evening of Wednesday the 19th inst., to the committee of Managers of the "Washington Ball," to enable those truly estimable and patriotic individuals to carry out their arrangements for the celebration of this happy re-union in a style adequate to the occasion;

And moved that the rules be suspended for the purpose of considering said resolution now;

Which was agreed to.

And the question being on the adoption of said resolution,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Biddlecome, Bird, Bjornsen, Boyce, Briggs, Cavney, Doran, Eastman, Ladue, Moorman, Murphy, Perkins, Rodolf, Rogan, Seaver, Smith, Tompkins, Utley, Waldo, Walker and Wilson—21.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Chase, Clothier, Cone, Dick, Estabrook, French, Fuller, Gifford, Groot, Hale, Hemenway, Hulburt, H. Johnson. J. B, Johnson, Jones, Julius, Kinney, Lessey, Malmros, Moore, Muzzy, Olmstead, Osborne, Price, Ray, Snover, Spooner, Stock, Tinker, Tregaskis, Van Vliet, Whitton, Wing and Horn (speaker)—35.

Mr. Biddlecome gave notice that he would on to-morrow move that rule XXIII be so changed as not to give a preference, on Fridays, to business which does not elicit debate.

The following resolution, to wit :

Resolved, That rule XXXVI be amended by striking out "ten" and inserting "nine,"

Being under consideration ;

And the question being on its adoption,

Mr. Rodolf moved that the same be amended by inserting the words half past nine in lieu of the word nine ;

Which was agreed to.

The resolution was then adopted.

The following resolution, to wit :

Resolved, That rule XLV, so far as it relates to the printing of bills, &c., be suspended during the remainder of the session, except when otherwise specially ordered ;

Was considered and adopted.

Bills were introduced on leave granted, severally read the first and second times, and referred as follows :

By Mr. Wing, bill

No. 229, *a.*, a bill to amend sec. 26 of chap. 131 of the revised statutes.

Referred to committee on judiciary.

By Mr. Olmstead, bill

No. 230, *a.*, a bill to amend part 1, title 3, chap. 10, sec. 28 of the revised statutes, giving the county boards of supervisors power to vacate towns;

Referred to committee on town and county organization.

By Mr. Bradley, bill

No. 231, *a.*, a bill to incorporate the North Western Rail Road Company.

Referred to committee on internal improvements.

By Mr. Biddlecome, bill

No. 232, *a.*, a bill to appropriate to Grant County the sum therein named.

Referred to committee on judiciary.

Mr. Bradley, on leave granted, introduced memorial

No. 10, *a.*, a memorial to Congress asking a grant of land for the North Western Railroad company;

Which was read the first and second time.

Mr. Estabrook, from the committee on judiciary to whom the same was referred, reported back bill

No. 96, *a.*, a bill to provide for laying out and establishing the several State roads therein named;

Without amendment,

And recommended its passage.

Mr. Rogan, from the committee on incorporations, to whom the same was referred, reported back bill

No. 210, *a.*, a bill to amend an act entitled "an act to provide for the continuation of the Lisbon and Milwaukee Plank road to Watertown and Madison;"

Without amendment,

And recommended its passage.

Mr. J. B. Johnson submitted the following report:

The select committee appointed to take into consideration the petition of William Richardson and other citizens of the

town of Paris, Grant county, have had the same under consideration, and beg leave respectfully to report:

That in the opinion of your committee the prayer of the petitioners has been answered by the passage of the law "For the apportionment of the school moneys for the year 1851."

Your committee, therefore, recommend that no further action be taken on the prayer of said petitioners.

J. B. JOHNSON, Chairman.

The report was laid on the table.

Mr. Rogan, from the committee on claims, reported bills

No. 233, *a.*, a bill to appropriate to Volney French the sum therein named; and

No. 234, *a.*, a bill to appropriate Peter W. Matts the sum therein named;

Which were severally read the first and second time.

And also reported back bills

No. 84, S., a bill to appropriate Timothy Burns the sum therein named;

No. 66, *a.*, a bill to appropriate Albert G. Lull a certain sum of money; and

No 67, *a.*, a bill to appropriate Ira Gates the sum therein named,

Without amendment.

And recommended their passage.

Mr. Rodolf, from the committee on town and county organization, reported bills

No. 235, *a.*, a bill to alter the boundaries of the town of Calumet, Fond du Lac county, and

No. 236, *a.*, a bill to change the name of the town of Pike in Kenosha county, to Somers;

Which were severally read the first and second time;

And also, reported adversely to the prayer of a petition, which was referred to said committee, from inhabitants of Columbia county, asking to be set off from said county and attached to Sauk county;

And asked to be discharged from the further consideration of said petition.

The committee was so discharged.

Mr. Hale from the select committee to which the same was referred, reported back bill

No. 126, *a.*, a bill submitting the question of the extension of the right of suffrage to a vote of the people,

Without amendment;

And recommended its passage.

Mr. Henning from the committee on engrossments reported as correctly engrossed bills

No. 63, *a.*, a bill to amend chapter 82 of the revised statutes;

No. 73, *a.*, a bill to authorize Alvin B. Carpenter to build a dam across Sugar River.

No. 82, *a.*, a bill to extend the time for collecting the taxes in the town of Pleasant Spring, in Dane county;

No. 101, *a.*, a bill to incorporate the Cassville and Dodgeville rail road company;

No. 132, *a.*, a bill to appropriate Ira B. Brunson the sum therein named;

And

No. 140, *a.*, a bill to change the name of Sarah Rape to Sarah Vrooman.

Said bills No. 63, 73, 82, 101, and 140. *a.*, were severally taken up, read a third time, passed,

And the titles agreed to.

Said bill No. 132, *a.*, was read a third time.

And the question on the passage thereof,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, French, Fuller, Gifford, Hale, Henning, Hulburt, J. B. Johnson, Julius, Ladue, Lessey, Malmros, Moore, Moorman, Murphy, Price, Rogan, Snover, Tinker, Tompkins, T-

gaskis, Utley, Van Vliet, Walker, Whitton, and Wilson—39.

Those who voted in the negative were,

Messrs. Barnett, Bird, Cavney, Estabrook, Groot, Hemenway, H. Johnson, Jones, Muzzy, Olmstead, Perkins, Ray, Rodolf, Seaver, Smith. Spooner, Stock, Waldo, and Wing—19.

The title was agreed to.

On motion of Mr. Malmros,

The assembly resolved itself into committee of the whole, for the consideration of the file of bills in which progress had been made by a former committee ,

Mr. Doran in the chair.

And after some time spent therein,

The committee rose and by their chairman reported bills,

No. 85, *a.*, a bill to prevent the killing of deer in certain seasons of the year ,

No, 129, *a.*, a bill to appropriate Alexander H. Pratt the sum therein named ;

And,

No. 133, *a.*, a bill to appropriate to Ira B. Brunson the sum therein named :

Without amendment.

And bills

No. 77, *a.*, a bill to incorporate the Nemahbin and Pine Lake plank road company ;

And

No. 161, *a.*, a bill to change the name of the town of Ceresco, in Fond du Lac county.

Without amendment.

And reported progress on said file of bills, and asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bill No. 133, *a.*, was ordered to be engrossed and read a third time.

The question being on concurring in the amendments to said bill No. 77, *a.*,

On motion of Mr. Ladue,

Said bill was laid on the table.

The amendment to said bill No. 161, *a.*, (which was to strike out the enacting clause,)

Was concurred in.

And the question being on ordering said bill to be engrossed and read a third time,

Said bill was laid on the table.

The question being on ordering said bill No. 129, *a.*, to be engrossed and read a third time,

On motion of Mr. J. B. Johnson,

Said bill was referred to the committee on judiciary.

The question being on ordering said bill No. 85, *a.*, to be engrossed and read a third time,

Mr. Bird moved that said bill be laid on the table.

Which was disagreed to.

And said bill was ordered to be engrossed and read a third time.

On motion of Mr. Wilson,

No. 166, *a.*, a bill to amend the charter of the Rock river Union Valley rail road company,

Was ordered to be printed.

Mr. Jenkins had leave of absence until next Monday.

On motion of Mr. Hemenway,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

Mr. H. Johnson moved that the assembly reconsider the vote by which the resolution allowing the use of the assembly hall for a ball on Wednesday evening next, was rejected today.

Which was agreed to.

And the question being on the adoption of said resolution,

It was decided in the affirmative.

On motion of Mr. Bird,

The assembly resolved itself into committee of the whole, for the consideration of bills in which progress had been made by a former committee,

Mr. Spooner in the chair.

And after some time spent therein,

The committee rose and by their chairman, reported bill

No. 168, *a.*, a bill in relation to the improvement of the capitol,

And memorial,

No. 9, *a.*, a memorial to Congress to aid in the improvement of the upper Wisconsin river,

Without amendment.

And bill,

No. 171, *a.*, a bill to provide for the re-appraisal and sale of the University lands, and for granting pre-emption thereon,

With amendment.

And also reported progress on the said file of bills,

And asked leave to sit again.

Leave was granted,

A message from the senate by Wm. Hull, Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that senate has concurred in the passage of

Mem. No. 3, *a.*, memorial to Congress in relation to the improvement of the Portland canal, in the state of Kentucky.

Mem. No. 5, *a.*, memorial to the President of the United States in relation to settlers on pine lands.

No. 90, *a.*, a bill to provide for the time of holding county courts in the county of Marathon, and

No, 188, *a.*, a bill to amend an act entitled an act to incorporate the village of Sheboygan,

Without amendment.

And in the passage of

No. 104, *a.*, a bill to authorize J. and G. Tomlinson to construct a mill race in the village of Port Washington.

No. 105, *a.*, a bill for laying out a state road from Token Creek to Fort Winnebago.

And

No. 106, *a.*, a bill to lay out and establish a state road therein described,

With amendments,

In which the concurrence of the assembly is requested.

And that senate has passed,

No. 66, S., a bill to amend chapter 65, sec. 17, of the Revised Statutes, providing for the sale of lands by administrators, executors and guardians.

No. 112, S., a bill to appropriate to C. Clement the sum of money therein named.

No. 115, S,, a bill to declare Bear Creek a navigable stream.

No. 116, S., a bill to vacate a portion of the plat of the village of Darlington in the county of La Fayette.

No. 117, S., a bill to appropriate to Thomas Bullen the sum therein named.

No. 113, S., a bill to incorporate the fire department of the city of Kenosha.

No. 137, S., a bill to legalize the official acts of the town officers of the town of Ellington, in Brown county.

No. 114, S., a bill to authorize the erection of a free bridge across the Milwaukee river.

No. 119, S., a bill to incorporate the Milwaukee gas light company.

No. 122, S., a bill to provide for laying out a state road from Menasha to Plover Portage, and

No. 123, S., a bill to appropriate to Egbert Mosely the sum therein named.

In which I am also directed to ask the concurrence of the assembly.

The report of the committee of the whole

Being under consideration,

And the question being on ordering said bill No. 168, *a.*, to be engrossed and read a third time,

On motion of Mr. Chase,

The said bill was laid on the table,

The amendments of the committee to said bill No. 171, *a.*,

Were not concurred in.

The question being on ordering said bill to be engrossed and read a third time,

Mr. Groot moved that section 6, of said bill be amended by striking out the word 'five' in the 5th, 6th and 8th lines, and inserting in lieu thereof the word 'four.'

Which was disagreed to,

Mr. Clothier moved to amend said bill by striking out all of the 6th section, after the word 'land,' in the 4th line of said section.

Which was disagreed to.

The question on ordering said bill to be engrossed and read a third time,

Was then put,

And decided in the affirmative.

Said memorial No. 9, *a.*, was ordered to be engrossed and read a third time.

Mr. Biddlecome moved that the portion of the Governor's last annual message relating to the state library, be referred to the judiciary committee, with instructions to said committee to report thereon immediately.

Which was agreed to.

Mr. Lessey moved that all rules be suspended for the purpose, and that bill

No. 137, S., a bill to legalize the official acts of the town officers of the town of Ellington, in Brown county,

Be taken from the senate message received this afternoon,

And read a third time now.

Which was agreed to.

And said bill was read a third time.

And the question on the passage thereof,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bjornsen, Bradley, Briggs, Chase, Cone, Dick, Eastman, Easton, Estabrook, Groot, Henning, Hulburt, J. B. Johnson, Julius, Kinney, Lessey, Malmros, Moorman, Murphy, Muzzy, Perkins, Price, Rodolf, Seaver, Smith, Snover, Stock, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson—37.

Those who voted in the negative were,

Messrs. Bird, Biddlecome, Boyce, Cavney, Doran, French, Fuller, Hale, Hemenway. H. Johnson, Jones, Ladue, Olmstead, Osborne. Ray, Rogan, Spooner, Tinker, Wing—20.

The title of said bill was agreed to.

On motion of Mr. Utley,

The assembly adjourned.

WEDNESDAY, Feb. 19, 9½ A. M.

Pending the reading the Journal of yesterday,

On motion af Mr. Boyce,

The further reading thereof was dispensed with.

The Speaker laid before the Assembly the following communication from the Attorney General:

Madison, Feb. 17, 1851.

Hon. Federick W. Horn,

Speaker of the Assembly:

SIR:—In compliance with the resolution adopted by the assembly on the 14th inst., requesting my opinion, as to the constitutionality of "a bill to limit the quantity of land hereafter to be held or owned by any one person," I have the honor to submit the following opinion.

By an act of Congress approved Aug. 6th, 1846, the United States proposed to pay to the State of Wisconsin, upon the conditions, and for the purposes, therein named, five per cent. of the nett proceeds of all the public lands lying within the State, (after deducting all expenses incidental to the same,) which had been, or which should be sold after the State had been admitted into the Union.

This act was amended by the act of admission, as to the use the five per cent should be put to, in accordance with the

Which was read the 1st and 2d time.

request contained in the 4th resolution appended to the Constitution of the State.

In consideration of the payment of the said five per cent., as aforesaid, Congress required the people of the State to bind themselves by a clause in their constitution, or by an ordinance irrevocable, without the consent of the United States, never to interfere with the primary disposal of the soil, within said State, nor with any regulations Congress might deem necessary to secure the same to bona fide purchasers thereof.

The proposition contained in the act of Congress first above

referred to, are upon the terms proposed, fully accepted, ratified and confirmed by section 2, article 2, of the constitution of the state. The moment said propositions were accepted, a solemn compact, obligatory upon both, was consummated between the state of Wisconsin and the United States.

It seems to me that sections one and four of the bill now under consideration, are in direct contravention of this compact, and hence unconstitutional. The U. S. offer to sell and convey in fee, to any individual, any amount of land for which he will pay. Section one of the bill prohibits every individual from becoming the owner or possessor in any manner, or from any source, of more than six hundred and forty acres of land; thereby directly interfering with the United States in the primary disposal of the soil.

Section four of the bill in substance provides, that all compacts, bargains, sales and conveyances for more than six hundred and forty acres of land, shall be null and void, thus preventing the United States from securing the title to bona fide purchasers to more than six hundred and forty acres of the public domain. The right to purchase is incidental to the power to sell, and therefore any law which takes away, or conflicts with this right, so far as the disposal of the public lands by the general government is concerned, is, in my judgment, a direct contravention of the letter and spirit of the constitution, and the laws of the U. S.

(Signed) S. PARK COON,
Attorney General.

The Speaker also laid before the assembly the following communication.

Office of the Milwaukee and Mis. R. R. Co.
Milwaukee, Wis., Feb. 17, 1851.

Hon. F. W. Horn,

Speaker of the House of Rep's., Madison, Wis.,

Dear Sir:—At a late meeting of our board of directors, the following resolution to wit:

Resolved, That the president be requested to invite the

governor, state officers, chancellor of the university, superintendent of public instruction and members and officers of the legislature, to unite with this board on the occasion of celebrating the opening of the road to Waukesha, and extend to them an invitation to pass free over the road.

For the purpose of making the invitation general, I will thank you to have it publicly read in open session and entered upon your journals, Respectfully,

Your ob't serv't,

(Signed,) BYRON KILBORN,

President.

Also a communication from the circuit clerk of Brown co. in relation to fines in criminal prosecutions;

Which was referred to committee on ways and means.

Petitions were presented and severally referred as follows;

By Mr. Gifford,

The petition of sundry citizens for the laying out of a state road from Sullivan in Jefferson county to Genesee in Waukesha county.

Referred to a select committee to consist of the members from said counties.

By Mr. Chase,

The petition of M. L. Burdick and 67 others, for a division of Milwaukee county.

Referred to committee on town and county organization.

Mr. Van Vliet presented the remonstrance of 217 citizens of Racine county against the removal of the county seat of said county.

Referred to committee on town and county organization.

Mr. Bird presented the claim of John T. Wilson vs. the state.

Referred to committee on claims.

Mr. Bird introduced the following resolution.

Resolved, That 500 extra copies of the minority report of the judiciary committee, to whom was referred the claim of

C. Latham Sholes for increased compensation for printing the revised statutes, be printed for the use of the assembly.

Mr. Biddlecome, agreeably to previous notice, moved that Rule XXIII be so changed as not to give a preference on Fridays to business which does not elicit debate;

Which was agreed to.

Bills were introduced, on leave granted, severally read the 1st and 2d time, and referred, as follows:

By Mr. Utley, bill

No. 337, *a.*, a bill to appropriate H. W. Chapman the sum therein named:

Referred to committee on claims.

By Mr. Perkins, bill

No. 238, *a.*, a bill to authorize the construction of a dam across the Baraboo river,

Referred to committee on roads and bridges.

Mr. Moore, on leave granted, introduced bill

No. 239, *a.*, a bill to vacate a part of state street in the village of Port Washington.

Which was read the 1st and 2d time.

Mr. Moore moved that all rules be suspended for the purpose, and that said bill be read a 3d time now;

Which was agreed to.

And said bill was read a 3d time, passed and the title agreed to.

Mr. Henning, from the committee on engrossments, reported, as correctly engrossed, bills

No. 34, *a.*, a bill to repeal sections 33 and 34 of chapter 131 of part 3, title 29 of the revised statutes.

No. 55, *a.*, a bill to amend an act entitled "an act to incorporate the city of Racine in the county of Racine."

No. 61, *a.*, a bill granting to Robert D. Hunt and Evred H. Erwin the right to keep and maintain a ferry across the Wisconsin river.

No. 94, *a.*, a bill to incorporate the female normal institute and high school at Milwaukee.

No. 92, *a.*, a bill to declare certain roads in the town of Watertown lawful highways;

No. 103, *a.*, a bill to provide for the survey and sale of certain lands in the town of Winnebago,

No. 121, *a.*, a bill to extend the eastern boundary of Portage county,

No. 130, *a.*, a bill to appropriate to Ole Torgerson a certain sum of money therein named,

Mr. Rogan, from the committee on incorporations to whom the same was referred, reported back bill

No. 217, *a.*, a bill declaring a certain road in the village of Hazle Green a public highway;

Without amendment.

And recommended its passage.

Mr. Tohl from the committee on roads and bridges, reported a substitute for bill.

No. 32, *a.*, a bill to amend section 56 chapter 16 of title 6, part 1, of the Revised Statutes;

And also, reported bill

No. 240, *a.*, a bill for laying out a state road in the county of Marquette,

Which was read the 1st and 2d time.

And reported adversely to the prayer of the petition of John Frederick, which petition had been referred to said committee.

Mr. Estabrook, from the committee on Judiciary reported bill

No. 241, *a.*, a bill to provide for the superintendence of the state library, for the purchase of books for the same, and for other purposes.

Which was read the 1st and 2d time.

A message from the Governor, by George P. Delaplaine, Esq., his private secretary :

EXECUTIVE DEPARTMENT
Madison, Feb. 17, 1851.

To the Assembly—

Acts entitled as follows:

An act making an appropriation for the payment of canal bonds number fifty five and forty six;

An act making an appropriation for the payment of canal bond number fifty four,

An act to amend an act entitled an act to incorporate the Winnebago Lake and Fox river road company, approved March, 13, 1848.

An act to vacate certain lots in the village of Saukville, Washington county.

An act to incorporate the Packwaukee bridge company.

An act to amend the act authorizing the laying out of a state road from Sheboygan to Madison,

And

Memorial to the congress of the United States in relation to the establishment of a mail route,

Were on the 15th inst., approved and signed by me, and deposited in the office of the secretary of state.

And acts entitled as follows:

An act to incorporate the county of Waushara,

An act to authorize the construction of a dam across the Milwaukee river,

Were on yesterday approved and signed by me, and deposited as aforesaid,

(Signed) NELSON DEWEY.

The messages from the senate were taken up, and considered.

The amendments of the senate to bills

No. 104, *a.*, a bill to authorize J. and I. Tomlinson to construct a mill race in the village of Port Washington.

No. 105, *a.*, a bill for laying out a state road from Token creek to Fort Winnebago,

And

No. 106, *a.*, a bill to lay out and establish a state road therein described,

Were severally concurred in,

And the following bills, to wit:

No. 66, S, *a.*, a bill to amend chapter 65, section 17, of the revised statutes, providing for the sale of lands by administrators, executors and guardians.

No 112, S. a bill to appropriate to C. Clement the sum of money therein named.

No. 115, S., a bill to declare Bear Creek a navigable stream.

No. 116, S., a bill to vacate a portion of the plat of the village of Darlington, in the county of Lafayette.

No. 117, S., a bill to appropriate to Thomas Bullen the sum therein named.

No. 113, S., a bill to incorporate the fire department of the city of Kenosha.

No. 137, S., a bill to legalize the official acts of the town officers of the town of Ellington, in Brown county.

No. 114, S. *a* bill to authorize the erection of a free bridge across the Milwaukee river.

No. 119, S, a bill to incorporate the Milwaukee gas light company.

No. 122, S., a bill to provide for laying out a state road from Menasha to Plover, Portage county, and

No. 123, S., a bill appropriating to Egbert Mosley the sum therein named.

Were severally read the 1st and 2d times.

Said bills no. 34, 55, 61, 92, 94, and 121, *a.*,

Were severally read a third time, passed

And the titles agreed to.

Said bill no. 103, *a.*, was read a third time.

And the question being on the passage thereof,

On motion of Mr. Bradley,

Said bill was laid on the table.

Said bill no. 130, *a.*, was read a third time.

And the question on the passage thereof,

Was decided in the affirmative.

Those who voted in the affirmative were

Messrs Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cone, Dick, Doran, Eastman, Easton, Estabrook, French, Fuller, Gifford. Groot. Hale, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Seaver, Smith Snover, Spooner, Stock, Tinker, Tompkins, Tregaskis. Utley, Vanvliet, Walker, Whitton, Wilson, Wing and Horn (Speaker)—56.

Mr. Jones voted in the negative—1.

The title was agreed to.

No. 38, *a.*, being under consideration, and the question being on ordering said bill to be engrossed and read a third time,

Mr. Chase moved to amend said bill by striking out all after the enacting clause, and inserting the following sections.

Sec. 1. Section three of chapter fifteen title five of the Revised Statutes is hereby amended by striking from the 5th, 6th and 7th lines, the following words to wit, "all debts due or to become due from solvent debtors, whether on account, contract, note, mortgage, or otherwise."

Sec. 2. An act entitled "an act to amend the existing laws relating to the assessment and taxation of personal property approved February 9th 1850, is hereby repealed.

Which said amendment was disagreed to.

And the question recurring on the engrossment and third reading of said bill.

On motion of Mr. Tompkins,

Said bill was referred to a select committee of five.

Messrs Spooner, Briggs, J. B. Johnson, Walker and Bennett were appointed such committee.

On motion of Mr. Clothier,

The assembly resolved itself into committee of the whole, for the consideration of the file of bills in which progress had been made by a former committee,

Mr. Biddlecome in the chair,

And after some time spent therein,

The committee rose, and by their chairman reported bill No. 53, S., a bill to appropriate R. W. Lansing a certain sum of money:

Without amendment; and

No. 50, S., a bill to change the system of county government.

With amendment;

And, also, reported progress on the said file of bills.

And asked leave to sit again.

The report of the committee of the whole being under consideration, said bill no. 53 *s*, was ordered to be read a 3d time.

The question being on concurring in the amendment of the committee to said bill no. 50 S., (which was to strike out all after the enacting clause,)

Mr. Spooner moved that said bill be referred to a select committee of three,

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Clothier, Doran, Easton, Hale, Hemenway, Henning, H. Johnson, J. B. Johnson, Jones, Kinney, Lessey, Moore, Moorman, Muzzy, Olmstead, Perkins, Price, Ray, Rodolf, Rogan, Spooner, Tinker, Tregaskis, Utley, Van Vliet, Wilson, Horn, (Speaker)—34.

Those who voted in the negative, were

Messrs Barnett, Cavney, Chase, Cone, Dick, French, Fuller, Gifford, Groot, Hulburt, Julius, Ladue, Osborne, Seaver, Smith, Snover, Stock, Tompkins, Walker, Whitton, Wing—21.

The speaker appointed Messrs Briggs, Bird, and Biddlecome the select committee on said bill.

Mr. Cole had leave of absence for one week.

Mr. Waldo had leave of absence until next Monday.

On motion of Mr. Rodolf,

Mr. Olmsted was substituted in place of Mr. Cole, on the committee to District the state.

On motion of Mr. Kinney,

The assembly adjourned.

THURSDAY, Feb. 20, 9½ o'clock A.M.

The reading of the journal of yesterday was dispensed with.

The speaker laid before the assembly, a communication from the clerk of the board of supervisors, of Walworth county

Which was laid on the table.

Petitions and remonstrances were presented and severally referred, as follows :

By Mr. Vincent,

Sundry petitions for the suppression of the sale of ardent spirits as a beverage ;

Referred to committee on charitable and religious institutions.

Also

The petition of J. E. Culver, and others, for the limitation of the interest of money to seven per centum.

Referred to committee on judiciary.

By Mr. Malmros,

The petition of Charles Klingholz for building a dam across the Manitowoc river.

Referred to committee on internal improvements.

By Mr. Utley,

Sundry remonstrances against the removal of the county seat of Racine county ;

Referred to committee on town and county organization.

By Mr. Muzzy,

The petition of M. C. Darling and 120 others, of Fond du Lac county, in relation to the Winnebago marsh ;

Referred to committee on state lands.

By Mr. Perkins,

The petition of the inhabitants of Sauk county, for the laying out of a state road ;

Referred to committee on roads and bridges.

By Mr. Julius,

The petition of Edmund Voight and 145 others, for the repeal of the present liquor law ;

Referred to committee on charitable and religious institutions.

By Mr. Snover,

The petition of the inhabitants of school district no. 9, town of Eagle, Waukesha county ;

Referred to committee on school lands.

By Mr. Spooner,

The petition of S. K. Phoenix and 79 others, for a rail road from Delevan to the line of Walworth county ;

Referred to committee on incorporations.

By Mr. Eastman,

The petition of F. M. Rowley and others, for a state road from Grand Chute to Plover Portage ;

Referred to committee on roads and bridges.

By Mr. Stock,

The petition of John Baumgart and 126 others, citizens of Washington county, for the location of the county seat of said county on the county farm ;

Referred to the select committee in charge of the subject.

Also

The petition of John M. Wittig and 111 others, for the repeal of the present liquor law and to enact a law in favor of license ;

Referred to committee on charitable and religious institutions.

By Mr. Van Vliet,

The remonstrance of 50 inhabitants of the county of Racine, against the removal of the county seat of said county;

Referred to committee on town and county organization.

By Mr. Hulburt.

The remonstrance of J. Campbell and 57 others, of Green county, against a change in our present system of county government;

Referred to the select committee in charge of the subject.

By Mr. Bradley,

The petition of A. C. Ketchum, and others, for a law to legalize a portion of a state road from Madison to Green Bay.

Referred to committee on roads and bridges.

By Mr. Osborne,

The remonstrance of Bernard Klais and others. against setting off any part of the north half of sec. 19, and N. W. quarter of section 20, of town 7, range 22, into the city of Milwaukee;

Referred to committee on town and county organization.

By Mr. Rodolf,

The remonstrance of Geo. Messersmith and 82 others, against a division of Iowa county;

Referred to the select committee in charge of that subject.

Bills were introduced on leave granted, severally read the first and second time, and referred as follows:

By Mr. Spooner, bill

No. 242, *a.*, a bill to repeal an act entitled, "an act to set apart and incorporate the county of Waushara," approved February the 15th, 1852.

Referred to committee on town and county organization.

By Mr. Hemenway, bill

No. 243, *a.*, a bill to remove the seat of government to Milwaukee:

Referred to a select committee to wit:

Messrs. Hemenway, Doran, and Bird.

Mr. Rodolf, from the committee, on town and county organization, to whom the same was referred, reported back bill,

No. 201, *a.*, a bill providing for the division of Marquette county, and the erection of the county of Menomonee;

Recommending that it do not pass.

Mr. H. Johnson, from the committee on agriculture and commerce, reported back bill,

No. 216, *a.*, a bill to permit certain animals to run at large.

With amendment.

And recommended the passage of said bill.

Mr. Estabrook, from the judiciary committee, made the following report:

The committee on the judiciary, to which were referred bill

No. 69, S., entitled, a bill to incorporate the Fox and Wisconsin river rail road company; and

No. 62, *a.*, a bill to incorporate the Madison Mutual Insurance company,

Have had the same under consideration, and differing with the balance of the committee, the undersigned would submit the following report:

The constitution of this state, Art. 11, sec. 1, provides that "corporations without banking powers or privileges may be formed under general laws, but shall not be created by special act, except for municipal purposes, and in cases where, in the judgement of the Legislature, the objects of the corporation cannot be attained under general laws." There are now upon the Statute book, general laws under which both plank road companies and insurance companies may be organized. That the objects sought in these several bills can as well be attained under general laws, the undersigned have no doubt, and we are confirmed in this belief by the fact that this passage in our constitution, is a literal transcript from the constitution of New York, where views identical with those above expressed, have uniformly been entertained.

To express our opinion as to the exediency of sueh specia acts, would not be strictly within the scope of the committee's instructions, but they would indulge the remark, that in their opinion, the portion of the constitution referred to, was intended to discourage the enactment of laws precisely similar in character to those referred to your committee,

All which is respectfully submitted.

(Signed) E. ESTABROOK,
J. D. MURPHY.

Mr. Biddlecome, from same committee, submitted the following report.

The undersigned members of the judiciary committee to whom was referred the bill for organizing the Madison Mutual Insurance Company, and the bill to incorporate the Fox and Wisconsin river plank road company, would report that having had the same under consideration, they are not of the opinion that they are in any respect unconstitutional.

They believe that the objects of the bills are proper, and, that the constitution merely leaves it to the judgement of the legislature to say whether they will permit the passage of the bills, or enact a proper general law for the attainment of the objects sought.

(Signed) BIDDLECOME,
BRIGGS.

Also

Mr. Estabrook, from same committee, reported back bills

No. 213, *a.*, to provide for the fees of sheriffs,

No. 214, *a.*, a bill to pay to H. Howard the sum therein named.

No. 215, *a.*, a bill to vacate a part of the town plat of the village of Oshkosh and to legalize a subsequent survey.

No. 223, *a.*, to legalize the acts of school district No. 4, in the town of Ottawa.

No. 229, *a.*, a bill to amend section 21 of chapter 131 of the Revised Statutes.

Recommending that said bills do not pass.

And also reported back bill

No. 232, *a*,, a bill to appropriate to Grant county the sum therein named.

And

No. 129, *a*., a bill to appropriate to Alexander F. Pratt the sum therein named,

Without amendment.

And recommended their passage.

Mr. Chase moved that 500 copies of the two reports from said committee in relation to said bills No. 62, *a*., and 69, S., be printed.

Which was disagreed to.

No. 14, *a*., a bill to limit the quantity of land hereafter to be held or owned by any one person,

Was taken up.

The question being on the passage of said bill,

Mr. Wilson moved that it be referred to the judiciary committee ;

And the question being on agreeing to such reference,

Mr. Boyce moved to amend the motion by adding instructions to said committee, to report on Monday next.

And the question being on agreeing to the amendment to the motion for reference,

Mr. Chase moved to postpone the further consideration of the said bill until the 4th of July next ;

And the question being on agreeing to said motion to postpone,

Mr. Wilson moved a call of the house.

The roll having been called,

Messrs. Henning, Lowth, Walker and Whitton were absent.

The sergeant-at-arms was directed to procure the attendance of the absentees.

A message from the senate by William Hull Esq., their chief clerk;

Mr. Speaker—

I am directed to inform you that senate has concurred in the passage of

No. 218, *a.*, a bill to vacate a part of a certain street in the village of Port Washington.

No. 219, *a.*, a bill to apportion to the counties of Marquette and St. Croix their proportions of the income of the school fund ;

No. 123, *a.*, a bill to amend an act entitled an act to incorporate the Wisconsin bridge company ;

No. 224, *a.*, a bill to appropriate to Albert G. Ellis the sum therein named.

Without amendment, and of

No. 42, *a.*, a bill to divide Crawford county, and organize the counties of Bad Axe and La Crosse.

No. 65, *a.*, a bill to authorize Merrick Murphy and his associates to build a dam across the Oconto river.

No. 86, *a.*, a bill to legalize the organization and acts of school district number 2, in the town of Newark, Rock county , and

No. 87, *a.*, a bill to legalize the organization and acts of school district No. 4, in the town of Plymouth, in Rock county,

With amendments to each,

In which the concurrence of the assembly is requested.

And that senate has passed,

No. 105, S., a bill relating to the use of the dredge boat in certain cases.

No. 125, S., a bill to change the name of the village of Arena in the county of Iowa.

No. 135, S., a bill to incorporate the Fond du Lac plank road company ; and

No. 146, S., a bill to amend an act entitled an act to incorporate the Sheboygan and Fond du Lac road company, approved March 11, 1848.

In which the concurrence of the assembly is requested.

Mr. Chase moved that further proceeding under the call be dispensed with.

Which was disagreed to.

The sergeant-at-arms reported members all present.

And the question pending being on agreeing to the motion to postpone the further consideration of said bill No. 14, *a.*, until the 4th day of July next,

Mr. Ladue called for the previous question.

The call was not seconded.

The question recurring on agreeing to the said motion to postpone,

Mr. Wilson moved that the assembly adjourn until 3 o'clock P. M.

Which was disagreed to.

A. message from the senate by Wm. Hull Esq., their chief clerk :

Mr. Speaker—

I a directed to inform you that senate has passed

No. 21, S., a bill to amend section 2, of chapter 108, of the Revised Statutes ;

And

No. 129, S., a bill to authorize Napoleon B. Millard and Augustus D. Bonesteel to build and maintain a dam across the Little Wolf river ;

In which the concurrence of the assembly is requested.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled, the following bills :

No. 35, *a.*, a bill to provide for the more speedy collection and payment of fines, forfeitures and penaltiesr emaining in the hands of justices of the peace ;

No. 30. *a.*, a bill to pay John F. Lessey the sum therein named ;

No. 90, *a.*, a bill to provide for the time of holding county courts in the county of Marathon ;

No. 105, *a.*, a bill for laying out a state road from Token Creek to Fort Winnebago ;

No. 188, *a.*, a bill to amend an act entitled an act to incorporate the village of Sheboygan ;

No. 200, *a.*, a bill to alter the boundary lines of the towns of Center, Fayette and Wiota in the county of La Fayette ;

No. 48, S., a bill to appropriate to Robert L. Ream the sum therein named ;

No. 78, S., a bill to establish the Baraboo Academy ;

No. 79, S., a bill to incorporate the Milwaukee and Fond du Lac rail road company ;

No. 87, S., a bill to provide for the organization of Electric Telegraph companies ;

No. 137, S., a bill to legalize the official acts of the town officers of the town of Ellington, Brown county ;

And Memorial,

M. No. 5, *a.*, memorial to the president of the United States in relation to settlers on pine lands ;

And also reported that the committee had presented to the governor for his approval, acts of the following titles :

An act to divide the county of Brown and to create the county of Outagamie ;

An act to appropriate to George H, Slaughter the sum therein named ;

An act to appropriate to Rev. Wesley Lattin the sum therein named ;

An act to extend the corporate limits of the city of Kenosha ;

An act to amend an act entitled " an act granting to Marcus Warren, Moses L. Calkins the right to keep and maintain a ferry across the Wisconsin river," approved February 9, 1850.

An act to authorize the laying out of a state road in Marquette and Brown counties.

The said enrolled bills were severally signed by the speaker,

And thereupon were transmitted to the senate.

The pending question being on agreeing to the motion to

postpone the further consideration of said bill No. 14, *a.*, until the 4th day of July next,

On motion of Mr. Wilson,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P M.

Mr. Chase moved that the rules be suspended for the purpose of considering the following resolution :

Resolved, (the senate concurring,) That no new business be received in either house of the legislature after the 22d of February inst., and that this legislature do adjourn sine die on the 3rd day of March, A. D. 1851.

Which was agreed to.

And the question being on the adoption of said resolution,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barnett, Boyce, Chase, Cone, Dick, Doran, French, Fuller, Hemenway, Hulburt, J. B. Johnson, Jones, Moore, Perkins, Rogan, Tregaskis, Walker, Whitton Horn (Speaker)—19.

Those who voted in the negative were,

Messrs. Bannister, Biddlecome, Bird, Bjornsen, Bradley, Cavney, Clothier, Easton, Estabrook, Groot, Hale, H. Johnson, Julius, Kinney, Ladue, Lessey, Malmros, Moorman, Murphy, Muzzy, Olmstead, Osborne, Rodolf, Seaver, Smith, Spooner, Stock, Tinker, Van Vliet, Vincent, Wilson and Wing—32.

The consideration of said bill No. 14, *a.*,

Was resumed,

And the question pending being on agreeing to the motion to postpone the further consideration of said bill until the 4th day of July next,

Mr. Vincent moved a call of the assembly.

The roll was called, and

Messrs. Briggs, Eastman, Gifford, Henning, Lowth, Price, Ray, Rogan, Snover, Tohl, Tompkins, and Utley were absent.

The sergeant-at-arms was directed to procure the attendance of absent members.

Mr. Tompkins moved that further proceedings under the call be dispensed with.

Which was disagreed to.

The sergeant-at-arms announced the members all present.

The question on agreeing to said motion to postpone,

Was put,

And decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Biddlecome, Bird, Boyce, Briggs, Chase, Cone, Doran, Eastman, French, Fuller, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Moore, Olmstead, Perkins, Rodolf, Rogan, Seaver, Smith, Walker and Horn, (Speaker,)—28.

Those who voted in the negative were,

Messrs. Barnett, Bjornsen, Bradley, Cavney, Clothier, Dick, Easton, Estabrook, Gifford, Groot, Hale, Henning, Julius, Lowth, Malmros, Moorman, Murphy, Muzzy, Osborne, Price, Ray, Snover, Spooner, Stock, Tinker, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Whitton, Wilson and Wing—33.

The question recurring on agreeing to the amendment to the motion for the reference of said bill to the committee on judiciary,

It was decided in the negative.

The question then being on referring the said bill to the

committee on judiciary,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative were,

Messrs. Barnett, Bjornson, Bradley, Cavney, Dick, Easton, Estabrook, French, Gifford, Groot, Hale, Henning, Julius, Lessey, Lowth, Malmros, Moorman, Murphy, Muzz y Osborne, Ray, Snover, Spooner, Stock, Tinker, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Whitton and Wilson—32.

Those who voted in the negative were,

Messrs. Bannister, Biddlecome, Bird, Boyce, Briggs, Chase, Clothier, Cone, Doran, Eastman, Fuller, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Moore, Olmstead, Perkins, Price, Rodolf, Rogan, Seaver, Smith, Walker, Wing, Horn, (Speaker)—29.

On motion of Mr. Hemenway,

The assembly adjourned.

FRIDAY, Feb. 21, 9½ A. M.

Prayer by Rev. Mr. Lattin.

The Journal of yesterday was read and approved.

Petitions and remonstrances were severally presented and referred, as follows:

By Mr. Lowth,

The petition of Ruel Parker and others, of the towns of Waterloo and Portland, for a charter for a plank road from Watertown to Portland, via Hubbleton;

Referred to committee on incorporations.

Also,

The petition of Robert W. Earl and others, for the passage of a law prohibiting the sale of intoxicating liquors as a beverage;

Referred to committee on charitable and religious institutions.

By Mr. Rodolf,

The petition of R. J. Darnall and 60 others, citizens of School district No. 2, in the town of Richmond, in Richland county, for relief;

Referred to committee on education and school lands.

By Mr. Tinker,

The petition of Simeon Cass and 31 others, inhabitants of the State of Wisconsin, for the passage of a law suppressing the sale of intoxicating liquors as a beverage;

Referred to committee on charitable and religious institutions.

By Mr. Spooner,

The petition of B. B. Humphrey and 42 others, for a law to limit the rate of interest;

Referred to committee on judiciary.

By Mr. Bannister,

The petition of W. Smith and 23 other citizens of the town of Clinton, Rock county, in relation to school lands in said town.

Referred to committee on education and school lands.

By Mr. Lessey,

The petition of Leander L. Keeler and 84 others, of the county of Brown, for the repeal of the present interest law;

Referred to committee on Judiciary.

By Mr. Tohl,

Sundry petitions for the repeal of chapter 29 of the revised statutes,

Referred to the select committee having charge of that subject.

Mr. Chase presented the memorial of H. A. Tenney and E. Daniels for an appropriation to defray the expenses of exploring the north part of the State of Wisconsin;

Which was referred to Messrs. Chase, Eastman and Lessey, as a select committee.

Mr. Bjornson presented an account of Robt. L. Ream vs. the State.

Referred to committee on claims.

Bills were introduced, on leave granted, severally read the first and second times, and referred as follows:

By Mr. Rodolf, bill

No. 245, *a.*, a bill for the relief of school district No. 2, in the town of Richmond, in the county of Richland.

Referred to committee on education and school lands.

By Mr. Ladue, bill

No. 246, *a.*, a bill to authorize the laying out of a state road therein named;

Referred to committee on roads and bridges.

By Mr. Biddlecome, bill

No. 247, *a.*, a bill to establish a State Journal of Education;

Referred to committee on education and school lands.

By Mr. Moore, bill

No. 248, *a.*, a bill to amend an act entitled "an act to incorporate the Port Washington, Horicon and Beaverdam Turnpike company," approved March 11, A. D. 1848.

Referred to committee on incorporations.

Mr. Biddlecome introduced the following resolution:

Resolved, by the assembly, (the senate concurring,) that no new business will be received by the Legislature after the first day of March next, and that the Legislature do adjourn *sine die* on Monday, the 10th day of March next, at 12 o'clock, M.

The rules were suspended for the immediate consideration of said resolution,

And the question being on the adoption thereof,

It was decided in the negative.

Mr. Spooner introduced the following resolution :

Resolved, That the public printer be instructed to print all bills for the use of this Assembly in the order in which they shall be numbered, which shall be, or may have been directed to him for the purpose of being printed, and that the chief clerk communicate to such printer, a copy of this resolution ;

The rules having been snspended for the immediate consideration of said resolution,

It was considered and adopted.

The following resolution being under consideration, to wit :

Resolved, That 500 extra copies of the minority report of the judiciary committee, to whom was referred the claim of C. Latham Sholes, for increased compensation for printing the revised statutes, be printed for the use of the assembly.

And the question being on its adoption,

It was decided in the negative.

On motion of Mr. H. Johnson,

Ordered that bill No. 182, *a.*, be taken from the journal file of bills, and printed.

Mr. Henning, from committee on engrossments, reported as correctly engrossed, bills

No. 37, *a.*, a bill to repeal chapter 86, title 22, part 3, of the revised statutes ;

No. 71, *a.*, authorizing the sale of the unsold odd numbered sections of Milwaukee and Rock river canal grant, for the use of schools ;

No. 85, *a.*, a bill to prevent the killing of deer in certain months of the year ;

No. 133, *a.*, a bill to appropriate to Ira B. Brunson the sum therein named ;

No. 171, *a.*, a bill to provide for the appraisal and sale of the University lands, and granting pre-emptions thereon ;

And,

No. 9, *a.*, a memorial to congress to aid in the improvement of the Upper Wisconsin river.

Mr. Rodolf from committee on town and county organization, to whom the same was referred, reported back bill

No. 230, *a.*, a bill to amend part 1, title 3, chapter 10, sec. 28, of the revised statutes, giving the county board of supervisors power to vacate towns ;

Recommending its passage.

Mr. Walker from committee on internal improvements, to whom were referred a petition for a charter to build a bridge across a branch of Fox river and a remonstrance on the same subject ;

Reported adversely to the prayer of the petition.

The messages from the senate were taken up and considered.

The following bills, to wit :

No. 21, S., a bill to amend section 2 of chapter 108, of the revised statutes ;

No. 105, S., a bill relating to the use of the Dredge boat in certain cases.

No. 125, S., a bill to change the name of the village of Arena in the county of Iowa ;

No. 129, S., a bill to authorize Napoleon B. Millard and Augustus D. Bonesteel to build and maintain a dam across the little Wolf river ;

No. 135, S., a bill to incorporate the Fond du Lac plank road company ;

And

No. 146, S., a bill to amend an act entitled, an act to incorporate the Sheboygan and Fond du Lac road company, approved March 11, 1848 ;

Were severally read the first and second time.

The amendments of the Senate to bills

No. 42, *a.* a bill to divide Crawford county, and organize the counties of Bad Axe and La Crosse ;

No. 86, *a.*, a bill to legalize the organization and acts of school district number two in the town of Newark in Rock county ;

And

No. 87, *a.*, a bill to legalize the organization and acts of school district no. 4, in the town of Plymouth in Rock county;

Were severally concurred in.

The question being on concurring in the amendments of the senate to bill

No. 65, *a.*, a bill to authorize Merrick Murphy and his associates to build a dam across the Oconto river;

On motion of Mr. J. B. Johnson,

Said bill was laid on the table.

No. 38, *a.*, a bill to repeal chapter 86, title 22, of the revised statutes;

Was read a third time.

The question being on the passage of said bill,

Mr. Chase moved that the bill be laid on the table.

Which was disagreed to,

And the question recurring on the passage of said bill,

Mr. Chase moved that the further consideration of said bill be indefinitely postponed;

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barnett, Bird, Bjornsen, Boyce, Bradley, Cavney, Chase, Cone, French, Groot, Hemenway, Henning, Julius, Ladue, Lowth, Malmros, Murphy, Olmstead, Perkins, Price, Smith, Snover, Tregaskis, Van Vliet, Whitton and Wilson—26.

Those who voted in the negative, were

Messrs. Bannister, Biddlecome, Briggs, Clothier, Dick, Doran, Eastman, Easton, Estabrook, Fuller, Gifford, Hale, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Lessey, Moore, Moorman, Muzzy, Osborne, Ray, Rodolf, Rogan, Seaver, Spooner, Stock, Tinker, Tompkins, Utley, Vincent, Walker, Wing and Horn, (speaker)—35.

The question recurring on the passage of the bill,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were.

Messrs. Bannister, Biddlecome, Briggs, Clothier, Dick, Doran, Eastman, Easton, Estabrook, Fuller, Gifford, Hale, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Lessey, Moore, Moorman, Osborne, Price, Ray, Rodolf, Rogan, Seaver, Spooner, Stock, Tinker, Tompkins, Utley, Van Vliet, Vincent, Walker, Wing and Horn (speaker)—36.

Those who voted in the negative, were

Messrs. Barnett, Bird, Bjornsen, Boyce, Bradley, Cavney, Chase, Cone, French, Groot, Heminway, Henning, Julius, Ladue, Lowth, Malmros, Murphy, Muzzy, Olmstead, Perkins, Smith, Snover, Tregaskis, Whitton and Wilson—25.

The title was agreed to.

The following bills, to wit:

No. 71, *a.*, a bill authorizing the sale of unsold odd numbered sections of the Milwaukee and Rock river Canal Grant for the use of schools,

And

No. 85, *a.*, a bill to prevent the killing of deer in certain months of the year;

Were severally read a third time, passed,

And the titles agreed to.

No. 171, *a.*, a bill to provide for the appraisal and sale of the University Lands and for granting pre-emption thereon,

Was read a third time.

And the question being on the passage thereof.

Mr. Smith had unanimous consent to amend the bill, by striking from the 5th line of the second section the word "first," and inserting the word "second."

The question on the passage of said bill was then put,

And decided in the affirmative;

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Chase, Dick, Doran, Eastman, Easton, Es-

tabrook, French, Fuller, Gifford, Groot, Henning, H. Johnson. J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Tregaskis, Utley, Van Vliet, Walker, Whitton, Wilson and Horn (speaker)—49.

Those who voted in the negative, were

Messrs. Bird, Cavney, Clothier, Cone, Hale, Hemenway, Hulburt, Jones, Ray, Vincent, Wing—11.

A message from the Governor, by George P. Delaplaine, Esq., his private secretary:

EXECUTIVE DEPARTMENT,
Madison, Feb. 20, 1851.

To the Assembly—

An act entitled, "an act to amend an act entitled an act to authorize Eliphalet S. Miner and Henry Clinton to improve the navigation of Grand Rapids, in the Wisconsin river, approved January 29, 1847," was

On the 18th inst., approved and signed by me, and deposited in the office of the Secretary of State.

An act entitled "an act to amend chapter one hundred and twelve of the Revised Statutes, relative to proceedings in attachment;

And

"An act for the relief of the town of Depere, in the county of Brown,"

Were on the 19th instant approved and signed by me and deposited as aforesaid. NELSON DEWEY.

M. No. 9, *a.*, a memorial to congress to aid in the improvement of the Upper Wisconsin river:

Was read a third time, passed,

And the title agreed to.

No. 53, S., a bill to appropriate to R. W. Lansing a certain sum of money,

Was read a third time,

The question on the passage thereof,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cone, Dick, Doran, Eastman, Easton, Estabrook, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Walker, Whitton, Wilson, Wing and Horn (Speaker)—60.

None voted in the negative.

The title was agreed to.

A message from the senate by Wm. Hull, Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that senate has passed,

No. 28, *a*,, a bill to incorporate the Milwaukee and Humboldt plank road company.

No. 239, *a*., a bill to vacate a part of Lake St., in the village of Port Washington.

No. 73. *a*., a bill to authorize Alvin Carpenter to build a bridge across Sugar river. And

No. 121, *a*., a bill to extend the eastern boundary of Portage county.

Without amendment.

And

No. 55, *a*., a bill to amend an act entitled an act to incorporate the city of Racine in the county of Racine.

And

No. 92, *a*., a bill to declare certain roads in the town of Watertown lawful highways.

With amendments to each,

In which the concurrence of the assembly is requested.

And that senate has passed,

No. 156, S., an act supplementary to an act to authorize the assessment and collection of taxes in the city of Milwaukee, approved January 24th, 1851 ;

No. 132, S., a bill in relation to insurance on property in the city of Kenosha made by individuals and associations, authorized by law ;

No. 136, S., a bill to change the name of the town of Kaukalin in the county of Brown ;

No. 155, S., a bill to vacate a portion of the town plat of Wisconsin city, in Rock county.

No. 138, S., a bill to incorporate the village of Delevan ;

No, 110, S., a bill to provide for granting divorces in certain cases.

No. 162, S., a bill to authorize the construction of a bridge across Fox river at Grand Kaukalin,

And

No. 163, S., a bill to authorize the construction of a toll bridge across Fox river.

And has adopted the following resolution :

Resolved, (the assembly concurring) That from and after the 27th day of February, inst., no new business shall be introduced into either branch of the Legislature.

In which the concurrence of the assembly is requested.

I am also directed to inform you that the Governor did on yesterday return to the senate with his objections,

No. 29, S., a bill to incorporate the Green Bay, Milwaukee and Chicago Rail road company.

And that senate, after a consideration thereof, unanimously refused to pass said bill.

And that senate has passed

No. 158, S., a bill to incorporate the Green Bay, Milwaukee, and Chicago rail road company.

In which the concurrence of the assembly is requested.

The certificate of election of the Hon. Henry Dodge as enator for Wisconsin, for six years from and after the 4th of

March next, which has been signed by the president of the senate.

On motion of Mr. Bradley,

No. 103, *a.*, a bill to provide for the survey and sale of certain lands in the town of Winnebago,

Was taken from the table and re-committed to the committee on state lands.

Mr. Rogan moved that all rules be suspended for the purpose, and that bill

No. 210, *a.*, a bill to amend an act entitled "an act to provide for the construction of the Lisbon and Milwaukee plank road to Watertown and Madison,

Be read a third time now.

Which was agreed to.

Said bill was read a third time, passed,

And the title agreed to.

On motion of Mr. J. B. Johnson,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

On motion of Mr. Lowth,

No. 129, *a.*, a bill to appropriate Alexander F. Pratt the sum therein named,

Was taken up for consideration.

The question being on ordering said bill to be engrossed and read a third time,

Mr. Lessey moved to amend the bill by striking therefrom "$650" and inserting in lieu thereof "1003 12c ;"

And the question being on the adoption of the amendment,

Mr. Chase moved that said bill be recommitted to the com-

mittee on claims, with instructions to report the facts concerning the claim upon which the bill was based.

Which was disagreed to.

The question recurring on the adoption of the said amendment,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were,

Messrs. Briggs, Cavney, Doran, Eastman, Gifford, Henning, Lessey, Lowth, Murphy, Snover, Utley, Walker Wilson and Wing—14.

Those who voted in the negative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Bradley, Chase, Cone, Dick, Easton, Estabrook, French, Fuller, Groot, Hale, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Malmros, Moore, Moorman, Muzzy, Olmstead, Osborne, Perkins, Ray, Rodolf, Rogan, Seaver, Smith, Spooner, Stock, Tinker, Tompkins, Tregaskis, Van Vliet, Vincent, Whitton and Horn (Speaker)—43.

The question recurring on the engrossment and third reading of said bill,

Mr. Smith moved that the bill be referred to a selct committee of three.

Which was disagreed to.

Mr. Wilson moved to amend the bill by striking out "650" and inserting "950,"

Which was disagreed to.

The question on the engrossment and 3rd reading of said bill,

Was then put,

And decided in the affirmative.

And the ayes and noes having been called for, and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase. Cone, Doran, Eastman, French, Gifford, Hale, Henning, Julius, Ladue, Lessey,

Lowth, Malmros, Moore, Moorman, Murphy, Olmstead, Osborne, Perkins, Rogan, Snover, Stock, Tinker, Tompkins, Tregaskis, Utley, Van Vliet, Walker, Whitton, Wing and Horn (Speaker)—39.

Those who voted in the negative were,

Messrs. Bird, Clothier, Dick, Easton, Estabrook, Fuller, Groot, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Kinney, Muzzy, Price, Ray, Rodolf, Seaver, Smith, Spooner, Vincent, Wilson—21.

Mr. Rogan moved that the rules be suspended for the purpose, and that said bill be read a third time now.

Which was agreed to.

And said bill was read a third time.

And the question on the passage thereof,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Cavney, Cone, Doran, Eastman, Estabrook, French, Gifford, Hale, Henning, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Osborne, Perkins, Rogan, Snover, Stock, Tinker, Tompkins, Tregaskis, Utley, Van Vliet, Walker, Whitton, Wing—38.

Those who voted in the negative were,

Messrs. Barnett, Bird, Chase, Clothier, Dick, Easton, Fuller, Groot, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Muzzy, Olmstead. Price, Ray, Rodolf, Seaver, Smith. Spooner, Vincent, Wilson, Horn (Speaker)—23.

The title was agreed to.

Mr. Vincent moved that the assembly adjourn.

Which was disagreed to.

On motion of Mr. Walker,

The assembly resolved itself into committee of the whole, for the consideration of the file of bills in which progress had been made by a former committee,

Mr. Doran in the chair.

And after some time spent therein,

The committee rose and by their chairman reported bills,

No. 79, S., a bill to incorporate the Madison and Swan Lake rail road company ;

No. 81, S., a bill to amend section 213 of Chapter 88, of the revised statutes ;

And

No. 100, S., a bill to amend part 2, section 4, chapter 15 of the Revised Statutes :

With amendments.

And bills,

No. 80, S., a bill to authorize the laying out of a state road in Columbia county ;

No. 90, S., a bill to authorize the construction of a bridge across Fox river at Little Creek ;

No. 91, S., a bill to vacate a part of a street in the village of Strongville, Marquette county ,

No. 93, S., a bill to appropriate to Barstow & Hatch the sum therein named ;

No. 94, S., a bill appropriating to Fratney & Herzberg the sum thereinn named ;

No. 95, S., a bill appropriating to James W. Seaton the sum therein named :

No. 96, S., a bill to appropriate to Knud Langland the sum therein named ;

No. 97, S., a bill appropriating to S. M. Booth the sum therein named ;

And

No. 102, S., a bill to appropriate to Edward H. Rudd the sum therein named ,

Without amendment ;

And also reported progress on the said file of bills.

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

The amendments of the committee to said bills No. 79 and 81 S.,

Were severally concurred in.

The amendment of the committee to said bill No. 100 S., which was to strike out all after the enacting clause.

Was also concurred in.

The question being on ordering said bill

No. 81, S., to be read a third time;

On motion of Mr. Spooner,

It was referred to the committee on judiciary.

The question being on ordering said bill,

No. 100, S., to be read a third time,

On motion of Mr. Tompkins,

Said bill was laid on the table.

Said bills No. 80, 90, 91, 93, 94, 95, 96, and 97, S.,

Were severally ordered to be engrossed and read a third time.

The question being on ordering said bill No. 102, S., to be read a third time,

On motion of Mr. Ladue,

It was referred to committee on claims.

On motion of Mr. Tregaskis,

The assembly adjourned.

SATURDAY, Feb. 22nd,—9½ A. M

Prayer by the Rev. Mr. Estchman.

On motion of Mr. Malmros, the reading of yesterday's journal was dispensed with.

Mr. J. B. Johnson introduced the following resolution, to wit:

Whereas, this is the birth day of George Washington, therefore,

Resolved, That the senate be respectfully requested to join the assembly at 10 o'clock A. M., at which time the speaker will request the Chief Clerk, A. T. Gray Esq., to read the farewell address of the Father of his country; and that immediately thereafter this house will adjourn until Monday morning next;

And on motion of Mr. J. B. Johnson, the rules were suspended for the present consideration of said resolution;

And the question being upon the adoption thereof,

It was decided in the affirmative.

The speaker laid before the assembly a communication from L. White, clerk of the board of supervisors of Waukesha county,

Which was read and laid on the table.

Mr. Chase offered the following resolution, to wit:

Resolved, That his Excellency, the Governor, and State officers be requested to join the senate and assembly in the assembly chamber, to hear the reading of Washington's Farewell Address, by A. T. Gray, Chief Clerk of assembly.

And on motion of Mr. Chase, the rules were suspended for the present consideration of said resolution;

And the question being on the adoption thereof,

It was decided in the affirmative.

Mr. Tompkins moved that a committee of three be appointed to communicate the said resolution to his Excellency the Governor, and the State officers.

Whereupon the speaker appointed Messrs. Tompkins, Walker and Ladue, such committee.

Mr. Henning moved that assembly take a recess till 10 o'clock.

Which was agreed to.

10 o'clock A. M.

The committee appointed by the speaker to wait on his Excellency the Governor, and state officers, reported that they had performed the duty assigned to them, and that they had been informed by his Excellency, the Governor and the state officers, that they accepted the invitation of the assembly, and would be present at the hour mentioned.

His Excellency, the Governor, the Hon. Secretary of State. Attorney General, Treasurer, and Superintendent of Public Instruction, and the Honorable senate with its officers, appeared in the Assembly Hall.

"The Farewell Address of George Washington, President to the people of the United States, September 17th, 1796,"

Was then read by A. T. Gray, Chief Clerk, of Assembly.

His Excellency the Governor and the Hon. Secretary of State, Treasurer, Attorney General and Superintendent of Public Instruction, and the Hon. Senate having retired from the asssembly Hall,

Bills were introduced upon leave granted, severally read the first and second times, and referred as follows :

By Mr. Ladue, bill

No. 249, *a.*, a bill to authorize the village of Sheboygan to borrow money.

Referred to committee on internal improvements.

By Mr. Gifford, bill

No. 250, *a.*, a bill for laying out a state road in the counties of Jefferson and Waukesha :

Referred to committee on roads and bridges.

By Mr. Rodolf, bill

No. 251, *a.*, a bill to lay out a certain state road therein named ;

Referred to committee on roads and bridges.

By Mr. Estabrook, bill

No. 252, *a.*, a bill to incorporate the Baraboo Navigation Improvement company.

On motion of Mr. Estabrook, said bill,

No. 252, *a.*, was ordered to be printed.

Mr. Estabrook, from Judiciary committee, to whom the same had been referred, reported back bill,

No 150, *a.*, a bill to provide for the relief of Sheboygan county,

Recommending its passage.

Mr. Horn (Speaker) asked leave of absence until Wednesday next;

Which was granted.

On motion of Mr. Walker.

Mr. Stock had leave of absence for one week.

On motion of Mr. Ladue,

Mr. Hemenway had leave of absence for one week.

The speaker then declared the assembly adjourned until Monday morning next.

MONDAY, Feb. 24, 9½ A. M.

Prayer by the Rev. Mr. Lord,

Mr. Ladue having assumed the chair,

On motion of Mr. Chase,

The assembly proceeded to the election, viva voce, of a speaker, *pro tempore.*

The roll was called and the vote stood, as follows:

For Mr. Walker:

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen,

Boyce, Briggs, Cavney, Chase, Clothier, Cone, Dick, Doran, Eastman, Everly, French, Fuller, Groot, Henning, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Rodolf, Rogan, Seaver, Smith, Spooner, Utley, Van Vliet and Wing—42.

For Mr. Spooner:

Messrs. Jones, Ray, Tinker, Tohl, Vincent, Walker and Wilson—7.

For Mr. Biddlecome:

Messrs. Price and Snover—2.

For Mr. Doran:

Messrs. Gifford and Hale—2.

Mr. Walker having received a majority of all the votes cast, was declared duly elected speaker *pro tempore*.

And thereupon took the chair.

The journal of the 22d instant was read and approved.

Petitions were presented and severally referred, as follows:

By Mr. Tinker,

Sundry petitions for the suppression of the sale of intoxicating liquors as a beverage;

Referred to committee on charitable and religious institutions.

By Mr. Rogan,

The petition of James Cooper and others, inhabitants of Jefferson county, for the passage of a law granting license for the sale of spirituous liquors;

Referred to the select committee in charge of the subject.

Also,

The petition of Joseph Guesler and others, of Jefferson county for a law limiting the rate of interest on money;

Referred to committee on judiciary.

By Mr. Everly,

The petition of L. F. Frisby and 29 others of the county of Washington, for the designation, by the legislature, of the

village of West Bend, as a point to be voted for by the people in the location of the county seat of said county,

Also,

The petition of Paul A. Weil and 38 others on the same subject.

Referred to the select committee to whom petitions in relation to the county seat of said county were referred.

By Mr. Moore,

A remonstrance of citizens of Washington county, against any action by the legislature in relation to the county seat of said county;

Referred to the same committee.

By Mr. Lessey,

The petition of J. A. Jackson and others, for a state road from Waupacca Falls in Winnebago county, to Kewaunee in Brown county.

Referred to committee on roads and bridges.

By Mr. Tregaskis.

The petition of Cyrus Woodman and others, of the county of Iowa, for the passage of a law in relation to smelters.

Referred to committee on Mining and Smelting.

Mr. J. B. Johnson introduced the following resolution:

Resolved, That the use of this Hall be given to John Hockings the celebrated Birmingham Blacksmith on to-morrow evening, the 25th, for the purpose of delivering a lecture on the subject of temperance.

Mr. Groot introduced the following resolutions:

Resolved, That this assembly, as servants of the people, feel bound to receive and act upon the people's business, as long as they shall importune us to consider the same.

Resolved, also, That we feel bound to apply ourselves to business with the utmost diligence and industry, and that we will adjourn at the earliest period consistent with our duty to our constituents and the state.

Resolved, further, That the members of this Assembly do not believe that they are so far intoxicated with love of legis-

lation, or filthy-lucre as to make it necessary to sign a pledge in order to secure an adjournment at a proper time.

Mr. Clothier introduced the following resolution:

Resolved, That the Judiciary committee be instructed to enquire into the expediency of reporting a bill to amend the constitution so that the legislature shall hereafter be required to meet once in two years, instead of meeting annually as at present.

Mr. Biddlecome introduced the following resolution:

Resolved, That the committee on Education and School Lands be instructed to inquire into the propriety of passing a law restricting and modifying the powers of District School Meetings to vote taxes upon the property of the District, and to impose and levy the same; and that they be requested to make an early report by bill or otherwise.

Mr. Doran introduced the following resolution:

Resolved, That the committee on State Lands be, and they are hereby requested to examine and report to this Assembly, as soon as convenient, by bill or otherwise, suitable means for repairing and improving the walks in Capitol Square, so as to render them passable at all times, "rain or shine."

The following resolution being under consideration, to wit:

Resolved, by the assembly, (the senate concurring,) that no new business will be received by the legislature after the first day of March next; and that the Legislature do adjourn *sine die* on Monday the 10th day of March next, at 12 o'clock M.

And the question being on the adoption thereof,

Mr. Bird moved that the resolution be laid on the table;

Which was disagreed to,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Bird, Bjornsen, Cavney, Clothier, Doran, Estabrook, Everly, Gifford, Groot, Hale, H. Johnson, Julius, Lowth, Malmros, Moorman, Murphy, Olmstead, Seaver, Tinker, Van Vliet, Vincent, Wilson—22.

Those who voted in the negative were,

Messrs. Bannister, Barnett, Biddlecome, Boyce, Briggs, Chase, Cone, Dick, Eastman, French, Fuller, Henning, Hulburt, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Moore, Price, Ray, Rodolf, Rogan, Smith, Snover, Spooner, Tohl, Tregaskis, Utley, Walker, Wing—31.

The question recurring on the adoption of said resolution,

Mr. Ladue moved to amend the resolution by striking out all after the words "first day of March."

And the question being on agreeing to said resolution,

Mr. Doran moved that the further consideration of said resolution be postponed for one week;

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bird, Bjornsen, Cavney, Doran, Groot, H. Johnson, Julius, Lowth, Malmros, Moorman, Murphy, Spooner, Tinker, Vincent and Wilson—15.

Those who voted in the negative were,

Messrs. Barnett, Biddlecome, Boyce, Briggs, Chase, Clothier, Cone, Dick, Eastman, Everly, French, Fuller, Gifford, Hale, Henning, Hulburt, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Moore, Muzzy, Olmstead, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Tohl, Tregaskis, Utley, Van Vliet, Walker and Wing—38.

The question then being on the previous motion to amend the resolution by striking out all after the words "first of March;

Mr. Bird moved a call of the assembly.

Before the calling of the roll, Messrs. Cole, Easton, Osborne, Perkins, Stock, Tompkins, Waldo and Whitton had leave of absence.

The roll was called, and

Mr. Jenkins was absent.

Mr. Jenkins having appeared in his place;

On motion of Mr. Rogan,

Further proceedings under the call were dispensed with.

The question on agreeing to the said motion to strike out,

Was then put,

And decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Bird, Bjornsen, Cavney, Clothier, Doran, Estabrook, Fuller, Gifford, Groot, Hale, H. Johnson, Julius, Ladue, Lowth, Malmros, Moorman, Murphy, Olmstead, Rodolf, Rogan, Snover, Tinker, Vincent, Wilson and Wing—27.

Those who voted in the negative, were

Messrs. Barnett, Biddlecome, Boyce, Briggs, Chase, Cone, Dick, Eastman, Everly, French, Henning, Hulburt, Jenkins, J. B. Johnson, Jones, Kinney, Lessey, Moore, Muzzy, Price, Ray, Seaver, Smith, Spooner, Tohl, Tregaskis, Utley, Van Vliet and Walker—29.

The question recurring on the adoption of the resolution,

Mr. Bird moved that the further consideration of the resolution be postponed until Thursday next;

Which was disagreed to.

The question on the adoption of the resolution was then put,

And decided in the affirmative.

Bills and memorials were introduced on leave granted, severally read the first and second times, and the bills referred, as follows:

By Mr. Eastman, bill

No. 253, *a.*, a bill to vacate a part of a street in the village of Omro;

Referred to committee on judiciary.

By Mr. Bjornsen, bills

No. 254, *a.*, a bill to amend sec. 12, of chapter 131, title 29 of the Revised Statutes;

And

No. 255, *a.*, a bill to amend sec. 3, of chapter 98, part 3, title 22, of the revised statutes;

Referred to committee on judiciary.

By Mr. Seaver, bill

No. 256, *a.*, a bill to authorize the citizens of the village of Waucoma, to build a meeting house on the public square of said village;

And No. 257, *a.* A bill to authorize the people of school district composed of parts of the towns of Porter and Union, in the county of Rock, and part of the town of Dunkirk in the county of Dane, to build a school house on the public square in the village of Waucoma, in the town of Porter.

Referred to committee on education and school lands, also,

Mem. No. 11, *a.*, a memorial to Congress in relation to a mail route from Janesville, through Fulton, Cookville, Dunkirk, Bass lake, and lake View, to Madison.

By Mr. Estabrook, memorial

No. 12, *a.*, a memorial to Congress for a grant of land to aid in the construction of Fort Winnebago, Baraboo Valley and Minnesota Railroad.

Mr. Doran, on leave granted, introduced bill,

No. 258, *a.*, a bill providing for the manner in which the fees of sheriffs shall be paid in certain cases;

Which was read the first and second time.

The rules relating to the reference and printing of bills were suspended as to said bill.

Mr. Olmstead, on leave granted, introduced bill

No. 259, *a.*, a bill for the relief of the several counties of this state;

Which was read the first and second time,

And referred to committee on state affairs.

Mr. Bird, from the committee on internal improvements, to whom the same was referred, reported back bill,

No. 249, *a.*, a bill to authorize the trustees of the village of Sheboygan to borrow money,

Without amendment.

And recommended its passage.

And also from same committee, reported bill,

No. 260, *a.*, a bill to authorize the construction of a dam across the Manitowoc river;

Which was read the first and second time.

Mr. Tohl, from the committee on roads and bridges, to whom the same were referred, reported back bills,

No. 222, *a.*, a bill to authorize Ebenezer Dakin to build a dam across White river;

No, 238, *a.*, a bill to authorize the construction of a dam across the Baraboo river;

No. 246, *a.*, a bill to authorize the laying out of a state road therein named;

And,

No. 250, *a*,. a bill for laying out a state road, in the counties of Jefferson and Waukesha;

Without amendment,

Recommending their passage.

And also from same committee, reported bills;

No. 261, *a.*, a bill to authorize certain state roads therein named;

No. 262, *a.*, a bill to authorize certain state roads therein named; and

No. 263, *a.*, a bill to abolish a state road therein described;

Which were severally read the first and second time.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bill,

No. 78, *a.*, a bill to incorporate the village of Manitowoc.

Mr. Price from the committee on state lands, reported back bill,

No. 103, *a.*, a bill to provide for the survey and sale of certain lands in the town of Fort Winnebago;

With amendments.

And recommended the passage of said bill.

Mr. Lowth, from the committee on education and school lands, to whom the same were referred, reported back bills,

No. 110, *a.*, a bill to appropriate funds for the benefit of the institution for the blind;

No. 178, *a.*, a bill to provide for proving pre-emption rights, and to amend section 40, of chapter 24, of the Revised Statutes;

No. 209, *a.*, a bill to authorize a tax to build a school house; and

No. 249, *a.*, a bill to establish a state journal of education,

Without amendment.

Recommending their passage.

And in relation to the subject of said bill No. 247, *a.*, submitted the following report:

The committee on education &c., to whom was referred the bill for establishing a school journal, respectfully report,

That they cannot better express their own views upon this subject than by adopting the language of the state superintendent:

"Without a school journal, the means of sustaining our schools would be incomplete. As a medium of communication between the state superintendent and the school officers of the different towns and counties, it will be indispensable.—

Private communication through the mail will be too slow, burdensome and expensive to meet all the exigencies of the schools that will arise. In addition to this, it would be a most valuable auxiliary in the dissemination of intelligence on the general subject of education. If we expect to make any advancement towards the attainment of the great object we have in view in the establishment of a proper school system, the public mind must be enlightned and the popular enthusiasm aroused. To effect this it is necessary to employ means that will reach directly every district and neighborhood of the state. The press alone can furnish such means. A journal issued monthly or semi-monthly, would find its way into every district and neighborhood, and the people every where

would be put into direct communication with the best sources of intelligence. Such journals have been established in many of the other states with the most beneficial results."

The expense of such a journal would be trifling, and might be drawn entirely from the fund set apart for school libraries, while the journal would be found the most useful and valuable addition to such libraries.

Journals established by private enterprise and sustained by individual effort, cannot be depended upon as auxiliaries, and may, and do frequently, come in collision with the educational interests of the state, in being in the pay and under the influence of foreign publishers and their local agents.

On motion of Mr. J. B. Johnson,

No. 65, *a.*, a bill to authorize Merrick Murphy and his associates to build a dam across the Oconto river,

Was taken up.

And the question being on concurring in the amendments of the senate to said bill,

It was decided in the negative.

The messages from the senate were taken up.

The following bills, to wit :

No. 110, S., a bill to provide for the granting of divorces in certain cases ,

No. 132, S., a bill in relation to insurance on property in the city of Kenosha made by individuals and associations authorized by law ;

No. 136, S., a bill to change the name of the town of Kaukalin, in the county of Brown ;

No. 138, S., a bill to incorporate the village of Delevan ;

No. 155, S., a bill to vacate a portion of the town plat of Wisconsin City, in Rock county ;

No. 156, S., an act supplementary to an act to authorize the assessment and collection of taxes in the city of Milwaukee, approved January 24th, 1851 ;

No. 162, S., a bill to authorize the construction of a bridge across Fox river, at Grand Kaukalin ;

And

No. 163, S., a bill to authorize the construction of a toll bridge across Fox river;

Were severally read the first and second time.

Mr. Gifford moved that the rules be suspended for the consideration of bill,

No. 181, *a.*, a bill to authorize the draining or lowering of North Lake in the town of Merton, county of Waukesha.

And that said bill be read a third time now.

Which was disagreed to.

A message from the senate, by Wm. Hull Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that senate has concurred in the passage of

No. 82, *a.*, a bill to extend the time for collecting taxes in the town of Pleasant Spring, Dane county;

No. 130, *a.*, a bill to appropriate to Ole Torgerson a certain sum of money therein named;

No. 64, *a.*, a bill to amend the act incorporating the Sheboygan and Mayville plank road company; and

No. 140, *a.*, a bill to change the name of Sarah Rape to Sarah Vrooman;

Without amendment,

And has passed,

No. 131, S., a bill relating to the duties of sheriffs, justices of the peace and constables;

No. 133, S., a bill to pay Benton & Garfield the sum therein named,

No. 134, S., a bill authorizing the governor to enter into contract with Morgan L. Martin for the improvement of Fox river between lake Winnebago and Green Bay;

No. 141, S., a bill to appropriate to Demming Fitch the sum therein named;

No. 142, S., a bill to appropriate to Elisha Burdick the sum therein named,

No, 143, S., a bill to appropriate to J. Kip Anderson the sum of money therein named ;

No. 144, S., a bill to appropriate to N. W. Dean the sum therein named ;

No. 145, S., a bill to appropriate to Lafayette Kellogg the sum of money therein named ;

No. 147, S., a bill to authorize the laying out of a state road therein named ;

No. 152, S., a bill to appropriate to Cannon & Sadd the sum therein named ;

And

No. 65, S., a bill to incorporate the Fort Winnebago, Baraboo Valley and Minnesota rail road company ;

And have adopted the following resolution :

Resolved by the senate, (the assembly concurring,) That both houses of the Legislature will meet in joint convention in the assembly hall on Wednesday, the 26th inst. at 11 o'clock A. M., for the purpose of electing four regents of the University.

In all of which the concurrence of the assembly is requested.

No. 18, *a.*, a bill relating to hawkers and pedlars,

Was taken up.

And the question being on concurring in the amendments to said bill, of the select committee to whom the same had been referred,

Mr. Chase moved that said bill be laid on the table.

Which was disagreed to.

Mr. Rogan moved that said bill be re-committed to the select committee to whom it had been referred, with instructions to amend the same so as to provide for the granting of state license instead of county license.

And the question being on agreeing to the said motion to re-commit,

Mr. Barnett, moved that the enacting clause of the said bill be stricken out ;

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bjornsen, Boyce, Cavney, Chase, Cone, French, Euller, Groot, Hale, Julius, Lowth, Malmros, Muzzy, Olmstead, Ray, Seaver, Tinker, Utley, Vincent, Walker and Wilson—22.

Those who voted in the negative were,

Messrs. Barnett, Bannister, Biddlecome, Bird, Briggs, Dick, Doran, Everly, Gifford, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Moore, Moorman, Murphy, Price, Rodolf, Rogan, Smith, Snover, Spooner, Tohl, Tompkins, Tregaskis, Van Vliet, and Wing—31.

The question then being on the said motion to re-commit the bill,

It was decided in the negative.

The amendments of the select committee to said bill,

Were then concurred in.

And the question then being on the passage of said bill,

Mr. Vincent moved a call of the assembly.

The roll was called and the members reported all present, except those having leave of absence.

On motion of Mr. Jenkins,

Further proceedings under the call were dispensed with.

Mr. Biddlecome demanded the previous question,

Which was ordered,

The question 'shall the main question be now put ?'

Was decided in the affirmative.

And the main question, 'shall this bill pass ?'

Was put,

And decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Biddlecome, Bird, Briggs, Clothier, Dick, Doran, Eastman, Estabrook, Henning, Hulburt, Jenk-

ins, H. Johnson, J. B. Johnson, Jones, Laduc, Lessey, Moorman, Murphy, Price, Rodolf, Rogan, Smith, Snover, Spooner, Tompkins, Tregaskis, and Wing—28.

Those who voted in the negative were,

Messrs. Barnett, Bjornsen, Boyce, Cavney, Chase, Cone, Everly, French, Fuller, Groot, Hale, Julius, Kinney, Lowth, Malmros, Moore, Muzzy, Olmstead, Ray, Seaver, Tinker, Tohl, Utley, Van Vliet, Vincent, Walker and Whitton —27.

The question being on agreeing to the title of said bill,

Mr. Muzzy moved to amend the title by striking out the words, "relating to hawkers and pedlars," and inserting in lieu thereof, the following:

"To tax citizens of eastern Wisconsin for the benefit and protection of merchants of western Wisconsin, and to promote litigation, in order that lean lawyers may wax fat."

Which was disagreed to.

The title of the bill was agreed to.

No. 78, *a.*, a bill to incorporate the village of Manitowoc,

Was read a third time, passed,

And the title agreed to.

No. 90, S., a bill to authorize the construction of a bridge across Fox river, at Little Chute,

Was read a third time, passed,

And the title agreed to.

No. 91, S., a bill to vacate a part of a street in the village of Strongville, Marquette county,

Was read a third time.

And the question being on its passage,

On motion of Mr. Smith,

The further consideration of said bill was postponed until Monday next,

No. 80, S., a bill to authorize the laying out of a state road in Columbia county.

And

No. 79, S., a bill to incorporate the Madison and Swan Lake rail road company,

Were severally read a third time, passed,

And the titles agreed to.

No, 93, S., a bill to appropriate to Barstow & Hatch,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cone, Dick, Doran, Eastman, Estabrook, Everly, French, Fuiler, Gifford, Groot, Hale, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Tinker, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Walker, Wilson and Wing—54.

Mr. Tohl voted in the negative—1.

The title of the bill was agreed to.

No. 94, S., a bill appropriating to Fratney & Herzberg the sum therein named,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cone, Dick, Doran, Eastman, Estabrook, Everly, French, Fuller, Gifford, Groot Hale, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Utley, VanVliet, Vincent, Walker, Wilson and Wing—56.

None voted in the negative.

The title of the bill was agreed to.

No. 95, S.. a bill appropriating James W. Seaton the sum therein named,

Was read a third time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Briggs, Cavney, Chase, Clothier, Cone, Dick, Doran, Eastman, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Utley, VanVliet, Vincent, Walker, Wilson and Wing—56.

None voted in the negative.

The title of the bill was agreed to.

No. 96, S., a bill to appropriate Knud Langland the sum therein named,

Was read a third time,

And the question on its passage

Was decided in the affirmative.

And the ayes and noes being required,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Briggs, Cavney, Clothier, Cone, Dick, Doran, Eastman, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent Walker, Wing—54.

None voted in the negative.

The title of said bill was agreed to.

No. 97, S., a bill appropriating S. M. Booth, the sum therein named,

Was read a third time,

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Briggs, Cavney, Chase, Clothier, Cone, Dick, Doran, Eastman, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Walker, Wilson Wing—56.

None voted in the negative.

The title of the bill was agreed to.

On motion of Mr. Tohl,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

On motion of Mr. Biddlecome,

The assembly resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Lowth in the chair.

And after some time spent therein,

The committee rose, and by their chairman reported bills

No. 31, *a.*, a bill to declare the Little River a navigable stream;

No. 32, a bill to amend section 56, of chapter 16, of title 6, part 1, of the Revised Statutes ; and

No. 81, *a.*, a bill relating to the jurisdiction of justices of the peace in civil cases,

With amendment. And

No. 46, S., a bill to repeal an act entitled "an act to organize the town of Monticello, in the county of La Fayette ;

No. 109, S., a bill to incorporate the Milwaukee and Green Bay plank road company ;

No. 111, S., a bill to appropriate the county of Waukesha the sum therein named ;

No. 16, *a.*, a bill to repeal sec. 3, chap. 88, title 22, part 3, of the Revised Statutes, and to amend sec. 9, of the same chapter ;

No. 62, *a.*, a bill to incorporate the Madison Mutual Insurance company ;

No. 66, *a.*, a bill to appropriate Albert G. Lull, a certain sum of money ;

No. 67, *a.*, a bill to appropriate to Ira Gates the sum therein named ;

And

No. 74, *a.*, a bill in relation to insurance on lives, and for the benefit of married women and other persons.

Also memorial

No. 4, S., a memorial to congress for the repeal or modification of the fugitive slave law ;

Without amendment.

And also reported progress on the general file of bills,

And asked leave to sit again.

Leave was granted.

A message from the senate by Wm. Hull Esq., their chief clerk :

Mr. Speaker—

I am directed to inform you that the senate have concurred in the adoption of the following resolution :

Resolved, By the assenbly, (the senate concurring,) That

no new business will be received by the legislature after the first day of March next, and that the legislature do adjourn sine die on Monday the 10th day of March next, at 12 o'clock M.

The report of the committee of the whole being under consideration,

And the question being on ordering said memorial No. 4, S., to be read a third time,

Mr. Spooner moved to amend the memorial by striking out the words, "any law passed by congress for the purpose of carrying into effect that provision of the constitution," and inserting the following:

"No power is granted by the constitution to your honorable body to enact any law prescribing the manner in which that provision shall be executed by the citizens of the several states: but that such power is reserved to the several states respectively. And your memorialists further represent that if your honorable body assume to enact any law in relation to the recapture of 'persons held to service and labor,' who may have escaped from one state into another, in their opinion, such law."

And pending the question on agreeing to said amendment,

The said memorial, together with the amendment,

Were laid on the table, and made the special order for Friday evening next.

Said bills No. 109 and 111, S., were severally ordered to be read a 3d time.

The question being on ordering said bill No. 46 S., to be read a third time,

Said bill was laid on the table.

The amendments of the committee to said bill No. 32,

Were concurred in.

And said bill was ordered to be engrossed and read a third time.

Said bills No. 66, 67, and 74 A, were severally ordered to be engrossed and read a third time.

The question being on ordering said bill No. 31 *a.*, to be engrossed and read a third time:

Mr. Rodolph moved that the enacting clause of said bill be stricken out,

Which was agreed to.

The question being on ordering said bill No. 16 *a.*, to be engrossed and read a third time,

Mr. Rodolph moved that the enacting clause of said bill be stricken out,

Which was agreed to.

The question on ordering said bill No. 62 *a.*, to be engrossed and read a third time,

Was decided in the negative.

On motion of Mr. Ladue,

Said bill No. 81, *a.*, was laid on the table.

On motion of Mr. Price,

The assembly adjourned.

TUESDAY, Feb. 25, 9½ o'clock, A. M.

Prayer by Rev. Mr. Woodward.

Pending the reading of the journal of yesterday,

On motion of Mr. Henning,

The further reading thereof was dispensed with.

Petitions were presented and severally referred, as follows:

By Mr. Waldo,

The petition of George N. Taggart and others, citizens of

Marquette and Washara counties for a state road from Berlin to Waupacca;

Referred to committee on roads and bridges.

Also,

The petition of D. H. Shumway and 46 others, citizens of Marquette county, for a law prohibiting the sale of intoxicating liquors;

Referred to the select committee on that subject.

By Mr. Tinker,

The petition of Haskel Wheelock and 64 others, of the state of Wisconsin, for the passage of a law suppressing the sale of intoxicating drinks as a beverage;

Referred to committee on charitable and religious institutions.

By Mr. Bird:

The petition of C. M. Wilson and 42 others, of Springfield, Dane county, for the repeal of the present liquor law;

Referred to same committee.

By Mr. Wing,

The petition of Robert Masters, of Jefferson county, for the passage of a law for the protection of sheep;

Referred to the committee of the whole.

By Mr. Hulburt,

The petition of Thomas Swoart and others of Green Bay, for the revision of sec. 12, of chapter 131, of the revised statutes;

Referred to the committee on judiciary.

By Mr. Moore,

The petition of 226 citizens of Washington county, against any action in relation to the county seat of said county;

Referred to select committee having charge of the matter.

Mr. Bradley presented the claim of R. L. Ream against the state;

Referred to committee on claims.

The following resolution, to wit;

Resolved, That the committee on education and School

Lands be instructed to inquire into the propriety of passing a law restricting and modifying the powers of district school meetings to vote taxes upon the property of the district, and to impose and levy the same; and that they be requested to make an early report, by bill or otherwise,

Was considered and adopted.

The resolutions introduced yesterday by Mr. Groot

Being under consideration,

Mr. Chase moved that they be laid on the table;

Which was disagreed to,

And said resolutions were adopted.

The resolution introduced by Mr. Doran and that introduced by Mr. Clothier on yesterday,

Were severally disagreed to.

The resolution introduced yesterday, by Mr. J. B. Johnson, granting the use of the Hall for the evening of to-day to John Hockings, was adopted.

Bills were introduced, on leave granted, severally read the 1st and 2nd time, and referred, as follows:

By Mr. Bjornsen, bill

No. 264 *a.*, a bill to amend sec. 28, of chap. 131, title 29, of the revised statutes.

Referred to committee on judiciary.

By Mr. Bradley, bill

No. 265 *a.*, a bill for legalizing certain roads in the town of Kossuth in Columbia.

Referred to committee on roads and bridges.

Mr. Lowth, from the committee on education and school lands, to whom the same were referred, reported back bills

No. 256 *a.*, a bill to authorize the citizens of the village of Waucoma to build a meeting house on the public square of said village, and

No. 257 *a.*, a bill to authorize the people of school district composed of parts of the towns of Porter and Union, in the county of Rock, and part of the town of Dunkirk in the coun-

ty of Dane, to build a school house on the public square in the village of Waucoma, in the town of Porter;

Without amendment,

And recommended their passage.

Mr. Rodolph, from the committee on town and county organization, reported bill

No. 266 *a.*, a bill to change the name of the town of Plymouth,

Which was read the first and second time.

And also reported adversely to the prayer of sundry petitions, which were referred to said committee, relative to the removal of the county seat of Racine county, submitting a written report on the subject, as follows:

REPORT;

We, the committee on town and county organization, to whom was referred Assembly bill No. 196, entitled "A bill providing for the removal and location of the seat of justice in the county of Racine," together with sundry petitions and remonstrances connected with that subject, beg leave respectfully to report;

That we had the matters submitted to us under consideration, and have given the subject that careful and impartial attention which its importance required at our hands, and which the wishes and interests of the people of that county seemed to demand. Your committee had several of their most vexatious questions about locating county seats before them, and while we feel it our duty to watch and strictly follow the true interests and wishes of its people, we cannot help again, of reminding this honorable body, that great care should be exerted, that no new elements of local discord and dispute be created by its action, and that it should be careful and slow to lend itself, in removing well established county seats, where its action is not clearly required by the general welfare and prosperity of the great mass of the people.

Your committee is well aware that Racine county could not have any other location, where the people in general are as

well accommodated as at the city of Racine, the present seat of justice, the place where most all of its citizens meet to do their trading, and a place that has more than one third of the inhabitants of the county.

We, the committee, would also further say, that there is double the amount of remonstrances here, to what we have received petitions.

We, your committee, would therefore recommend that this bill do not pass.

All of which is respectfully submitted.

CHAS. G. RODOLF, Chairman.

On motion of Mr. Van Vliet,

The report was adopted, and the committee discharged from the further consideration of the subject.

Mr. Rogan from the committee on claims, to whom the subject was referred, submitted the following report;

The committee on claims to whom was referred the account of Lyman Crossman, against the state of Wisconsin, have had the same under consideration, and have directed me to make the following—

REPORT,

That the claims of said Crossman consist of certain certificates for mileage and attendance as a member of the legislative assembly of the territory of Wisconsin, in December 1842, and January 1843, and commonly called "the bogus session" —your committee would state that there has been nothing in connection with said certificates before them to enable them, with a proper understanding of the whole matter, to recommend any action on the part of this House, either favorable or adverse to allowing said claim. But your committee would suggest that, inasmuch as it is a mooted question, whether the state is legally bound to pay these claims, that the legislature take initiatory steps towards a final settlement of the matter. This your committee believe to be due to all parties concerned. If the state is bound in law or good conscience to pay these claims, then provision should be made at once for their early

liquidation. If the state is not bound to pay then it becomes a matter of interest to the holders of these certificates to know the fact that they may not hereafter spend their time and money as they now do, pressing upon the legislature claims that possess no merit, and should not be paid.

In conformity with these views your committee would offer the following resolution, and ask to be discharged from the further consideration of the subject.

(Signed,) J. ROGAN, Chairman.

RESOLUTION;

Resolved, That the Attorney General be requested to give his opinion to this House, whether the state is lawfully bound to redeem the certificates of mileage and attendance, issued to members of the legislative assembly of the territory of Wisconsin, for the session holden in December, 1842, and January 1843, and that the chief clerk be requested to furnish the attorney general with a copy of this resolution.

The resolution was adopted and the committee discharged from the further consideration of the subject.

Mr. Eastman, from the committee of conference, on the disagreeing vote of the two houses on

No. 47, S, a bill to provide for the laying out of a state road in the county of Brown,

Reported that the committee had considered the matter, and would recommend that the words, "and twenty-two" be inserted, after the words, "town 21," in the sixth line of section one of said bill.

The report of the committee was adopted.

Mr. Estabrook from the judiciary committee, reported bill

No. 267, *a.*, a bill to amend chapter 102 of the revised statutes,

Which was read the first and second time.

Mr. Jenkins, on leave granted, introduced bill

No. 268 *a.*, a bill to change the name of Catharine Kroeger to that of Catharine Stovecken, and to make her the heir at law of Berhhart Stovecken and Francisca Stovecken;

Which was read the 1st and 2nd time, and referred to the committee on the judiciary.

Mr. Spooner from the select committee to whom the same was referred, reported back bill,

No. 38, *a.* a bill relating to the assessment and taxation of personal and real property,

With amendments, and recommended the passage of the bill.

Mr. Everly on leave granted, introduced bill

No. 269 *a.*, a bill to appoint certain commissioners therein named,

Which was read the first and second time,

And referred to the committee on roads and bridges.

Messages from the Governor, in writing, by George P. Delaplaine, Esq., private secretary :

EXECUTIVE DEPARTMENT }
Madison, Feb. 24, 1851. }

To the Assembly—

Acts entitled as follows :

An act to alter the boundary line of the towns of Center, Fayette, and Wiota, in the county of La Fayette;

An act to provide for laying out a state road from Token Creek to Fort Winnebago.

An act to provide for the time of holding county courts in the county of Marathon;

An act to provide for the more speedy collection and payment of fines, forfeitures, and penalties, remaining in the hands of Justices of the Peace;

An act to amend an act entitled an act to incorporate the village of Sheboygan;

An act to appropriate to John F. Lessey, former Sheriff of Brown county, the sum therein named; and

Memorial to the President of the United States in relation to settlers on pine lands;

Have been approved and signed by me, and deposited in the office of the Secretary of State.

(Signed) NELSON DEWEY.

EXECUTIVE DEPARTMENT,
MADISON, Feb. 24, 1851.

To the Assembly—

In pursuance of the provisions of an act entitled "an act to provide for paying the contingent expenses of the state for the year one thousand eight hundred and fifty," approved Feb. 9, 1850, I herewith transmit for the information of the legislature, a detailed account of the contingent expenses of the state incurred under my direction, during the year 1850. The enclosed account exhibits each item of expenditure, the amount, and to whom paid, and the vouchers of the expenditure are subject to the examination of the legislature.

The general items of such expenses are as follow s.

Unpaid accounts for labor during and previous to session of 1850,	$74 00
For materials and repairs for capitol, painting, and other labor in and about the capitol and grounds,	1694 26
For carpets, stoves and furniture for legislative halls, state offices and supreme court,	544 95
For services of agent to visit intruding indians,	213 47
For lights and lamps for legislature, state officers and supreme court,	393 41
For services of attorney in prosecuting two writs of error, in supreme court, in favor of two Chippewa indians, convicted in St. Croix Circuit Court of murder,	100 00
For stationery for legislature, state officers, and supreme court,	1655 09
For miscellaneous objects, distributing laws, &c.,	247 70
The total amount of expenditure is	$4922 88
From which deduct the amount appropriated by the act referred, which is	3000 00
Leaving unappropriated the sum of	1922 00

To discharge which balance, an appropriation is necessary to be made for this amount.

Some of the items of this account were paid by me under the direction of the committee on claims, for expenses incurred by order of the assembly.

(Signed) NELSON DEWEY.

The account referred to in the latter of said communications,

Was referred to committee on claims.

The messages from the senate were taken up and considered.

The amendments of the senate to bills

No. 55, *a.*, a bill to amend an act entitled "an act to incorporate the city of Racine in the county of Racine ;

And

No. 92, *a.*, a bill to declare a certain road in the town of Watertown a lawful highway ;

Were severally concurred in.

The following bills, to wit :

No. 65, S., a bill to incorporate the Fort Winnebago, Baraboo Valley, and Minnesota rail road company ;

No. 131, S., a bill relating to the duties of sheriffs, justices of the peace and constables .

No, 133, S., a bill to pay Benton & Garfield the sum therein named ;

No. 134, S., a bill authorizing the governor to enter into contract with Morgan L. Martin for the improvement of Fox river between lake Winnebago and Green Bay ;

No. 141, S., a bill to appropriate to Demming Fitch the sum therein named ;

No. 142, S., a bill to appropriate to Elisha Burdick the sum therein named ;

No. 143, S., a bill to appropriate to J. Kip Anderson the sum of money therein named ;

No. 144, S., a bill to appropriate to N. W. Dean the sum therein named ;

No. 145, S., a bill to appropriate to Lafayette Kellogg the sum of money therein named :

No. 147, S., a bill to authorize the laying out of a state road therein named ;

No. 152, S., a bill to appropriate to Cannon & Sadd the sum therein named ; and

Were severally read the first and second time.

No. 109, S., a bill to incorporate the Milwaukee and Green Bay plank road company,

Was read a third time.

And the question being on its passage,

On motion of Mr. Spooner,

Said bill was referred to the committee on incorporations.

No. 111, S., a bill to appropriate the county of Waukesha the sum therein named,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Briggs, Cavney, Chase, Clothier, Cone, Dick, Doran, Eastman, Estabrook, Everly, French, Fuller, Gifford, Groot, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Tompkins, Tregaskis, Utley, Van Vlet, Walker, Walker, Wilson, Wing—53.

Those who voted in the negative, were

Messrs. Boyce, Hale, Tohl, Vincent—4.

The title of the bill was agreed to.

Mr. Estabrook, agreeably to previous notice, moved that rule XVIII, of the assembly be so changed, as not to permit the consideration of more than one bill at a time, in committee of the whole.

Which was disagreed to.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Price in the chair,

And after some time spent therein,

The committee rose, and by their chairman reported

No. 56, S., a bill to incorporate the Watertown and Waterloo plank road company ;

No. 95, *a.*, a bill relating to the militia , and

No. 96, *a.*, a bill to provide for laying out and establishing the several state roads therein described ;

With amendment. And

No. 84, *a.*, a bill for lands sold for taxes and not redeemed in time, as specified by law, to be sold by a decree of county or circuit court ;

And

No. 97, *a.*, a bill to lay out a state road from the junction of the Madison and Verona state road to Wiota ;

Without amendment.

And also reported progress on the general file of bills,

And asked leave to sit again.

Leave was granted.

A message from the senate, by Wm. Hull Esq., their chief clerk :

Mr. Speaker—

I am directed to inform you that senate has receded from its first, and insists upon its second amendment to

No. 65, *a.*, a bill to authorize Merrick Murphy and his associates to build a dam across the Oconto river ;

And that senate has non-concurred in the amendments of assembly to

No. 79, S., a bill to incorporate the Madison and Swan Lake rail road company.

I am also directed to inform you that senate has adopted

The report of the committee of conference on the disagreeing vote of the two houses on

No. 47, S., a bill to provide for the laying out of a state road in the county of Brown.

The report of the committee of the whole being under consideration,

And the question being on concurring in the amendments of the committee to said bill No. 56, S.,

Mr. Lowth moved to amend the report of the committee as to said bill, by inserting in sec. 8, the words, "to the village of Portland, and thence to some point at," between the word 'county' and the word 'or,' in said section after striking out the word 'to' before the said word 'or ;'

Which was agreed to.

The report of the committee as amended,

Was concurred in.

And the question being on ordering said bill to be read a third time,

Mr. Bjornsen moved to amend the bill by adding to sec. 10, the following proviso :

"Provided that any party conceiving himself aggrieved by any decision herein stated, may in every such case appeal from such decision to the circuit court of the county in which the property in question is situate, as in ordinary cases of appeal."

Which was agreed to.

Said bill was then ordered to be read a third time.

The question being on ordering said bill

No. 84, *a.*, to be engrossed and read a third time,

Mr. Rodolf moved that said bill be referred to a select committee.

And the question being on agreeing to said reference,

Mr. Jenkins moved that the enacting clause of said bill be stricken out.

Which was agreed to.

On motion of Mr. Rogan,

Said bill No. 93, *a.*, was laid on the table.

Pending the further consideration of the report of the committee,

On motion of Mr. Wilson,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled bills,

No. 53, S., a bill to appropriate to R. W. Lansing the sum therein named ;

No. 80, S., a bill to authorize the laying out of a state road in Columbia county ;

No. 90, S., a bill to authorize the construction of a bridge across Fox river, at Little Chute ;

No. 93, S., a bill to appropriate to Barstow & Hatch the sum therein named ;

No. 94, S., a bill appropriating to Fratney & Herzberg the sum therein named ;

No. 95, S., a bill appropriating to James W. Seaton the sum therein named ;

No. 96, S., a bill to appropriate to Knud Langland the sum therein named ;

No. 97, S., a bill to appropriate to S. M. Booth the sum therein named ;

No. 28, *a.*, a bill to incorporate the Milwaukee and Humboldt plank road company ;

No. 42, *a.*, a bill to divide Crawford county and create the counties of Bad Axe and La Crosse ;

No. 64, *a.*, a bill to amend an act to incorporate the Sheboygan and Mayville plank road company ;

No. 73, *a.*, a bill to authorize Alvin B. Carpenter to construct and maintain a dam across Sugar river ;

No. 82, *a.*, a bill to extend the time for collecting taxes in the town of Pleasant Spring, Dane county ;

No. 86, *a.*, a bill to legalize the organization and acts of school district No. 2, in the town of Newark, Rock county ;

No. 87, *a.*, a bill to legalize the organization and acts of school district number 4, in the town of Plymouth, Rock county ;

No. 104, *a.*, a bill to authorize J. & G. Tomlinson to construct a mill race in the village of Port Washington ;

No. 106, *a.*, a bill to lay out and establish a state road therein named ,

No. 121, *a.*, a bill to extend the eastern boundary of Portage county ;

No. 123, *a.*, a bill to amend, an act entitled an act to incorporate the Wisconsin bridge company ,

No. 130, *a.*, a bill to appropriate to Ole Torgerson a certain sum of money therein named ;

No. 140, *a.*, a bill to change the name of Sarah Rape to Sarah Vrooman ;

No. 218, *a.*, a bill to vacate part of a certain street in the village of Port Washington ;

No. 219, *a.*, a bill to apportion to the counties of Marquette and St. Croix their proportions of the income of the school fund ;

No. 224, *a.*, a bill to appropriate to Albert G. Ellis the sum therein named ;

No. 239, *a.*, a bill to vacate part of Lake street in the village of Port Washington ; and memorial

No. 3, *a.*, a memorial to the Congress of the United States in relation to the improvement of the Portland Canal in the state of Kentucky ;

And also reported that the committee had presented to the Governor for his approval, acts of the following titles ;

An act to alter the boundary lines of the towns of Center, Fayette and Wiota, in the county of La Fayette ;

An act to provide for laying out a state road from Token Creek to Fort Winnebago ;

An act to provide for the more speedy collection and payment of fines, forfeitures and penalties remaining in the hands of justices of the peace ;

An act to provide for the time of holding county courts in the county of Marathon ;

An act entitled an act to incorporate the village of Sheboygan ;

An act to appropriate to John F. Lessey, former sheriff of Brown county, the sum therein named.

An act to legalize the official acts of the town officers of the town of Ellington, in Brown county.

An act to appropriate to Robert L. Ream the sum therein named.

An act to provide for the organization of Electric Telegraph companies.

An act to establish the Baraboo Academy.

An act to incorporate the Milwaukee and Fond du Lac rail road company.

And memorial to the President of the United States in relation to settlers on pine lands.

Said enrolled bills and memorial were severally signed by the speaker, and thereupon were transmitted to the senate.

A message from the senate, by Wm. Hull Esq., their chief clerk :

Mr. Speaker—

I am directed to inform you that senate has passed

No. 1, S., a bill to limit the rate of interest.

In which the concurrence of the assembly is requested.

The consideration of the report of the committee of the whole was resumed.

The amendments of the committee to said bill No. 95, *a.*,

Were concurred in.

And the question being on ordering the engrossment and third reading of said bill,

Mr. Chase moved that the enacting clause be stricken out.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bjornsen, Boyce, Bradley, Briggs, Chase, Cone Estabrook, Hulburt, J. B. Johnson, Julius, Perkins, Price, Tinker, Tohl, Tregaskis—15.

Those who voted in the negative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Cavney, Clothier, Dick, Doran. Eastman, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Jenkins, H. Johnson, Jones, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead, Ray, Rogan, Snover, Spooner, Tompkins, Utley, Van Vliet, Vincent, Waldo, Walker, Wilson, Wing—40.

Said bill was then ordered to be engrossed and read a third time.

The amendments of the committee to said bill No. 96, *a.*,

Were concurred in.

And said bill was ordered to be engrossed and read a third time.

Said bill No. 97, *a.*, was ordered to be engrossed and read a third time.

The following resolution, to wit :

"Resolved by the senate, (the assembly concurring,) That both houses of the legislature will meet in joint convention in the assembly hall on Wednesday the 26th inst., at 11 o'clock A. M. for the purpose of electing four regents of the University.

Was taken up, considered and adopted.

Mr. Lowth, on leave granted, introduced bill

No. 270, *a.*, a bill to amend chapter 16, of title 6, of the Revised Statutes.

Which was read the first and second time and referred.

Mr. Lessey, on leave granted, introduced bill

No. 271, *a.*, a bill to incorporate the Western Fire and Marine Insurance Company, of Grand Chute, Outagamie county.

Which was read the first and second times and referred to the committee on incorporations.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Jenkins in the chair.

And after some time spent therein,

The committee rose and by their chairman reported bills

No. 86, *a.*, a bill to vacate a part of a state road therein named.

No. 102, *a.*, a bill to lay out a state road from the village of Madison, in the county of Dane, to the quarter stake on section 36, town No. 9, north of range no. 2 east, in the county of Richland:

No. 112, *a.*, a bill to incorporate the Palmyra and Jefferson plank road company ; and

No. 113, *a.*, a bill licensing the sale of intoxicating liquors.

With amendment,

And

No. 100, *a.*, a bill to amend an act entitled "an act to lay out a state road from Green Bay, in Brown county, to Wausau, in Portage county," approved Feb. 9, A. D. 1850.

No. 107, *a.*, a bill respecting sale of mortgaged premiss.

No. 108, *a.*, a bill to purchase 100 copies of the reports of the supreme court of the territory of Wisconsin ; and

No. 109, *a.*, a bill to provide for repairing bridges across Rock river in the county of Rock, and for other purposes therein mentioned.

Without amendment.

And also reported progress on the general file of bills, and asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

The amendments of the committee to said bills Nos. 98, 102, and 112, *a.*, were severally concurred in.

And said bills ordered to be engrossed and read a third time.

The question being on ordering said bill no. 109, *a.*, to be engrossed and read a third time,

Mr. Bannister moved to amend the bill by inserting after the words "Rock river," in section 1st, the words "and all other rivers, creeks, and streams."

Which was agreed to.

Mr. Vincent then moved that the enacting clause of said bill be stricken out;

Which was agreed to.

The question being on ordering said bill No, 108, *a.*, to be engrossed and read a third time,

Mr. H. Johnson moved that the enacting clause of said bill be stricken out;

Which was disagreed to.

And said bill was ordered to be engrossed for a 3d reading.

The question being on ordering said bill No. 107 *a.*, to be engrossed and read a third time.

Mr. Doran moved that all after the enacting clause of said bill be stricken out,

Which was agreed to.

And said bill was laid on the table.

The question being on ordering said bill, No. 100 *a.*, to be engrossed and read a third time,

Mr. Moorman moved to amend the bill by striking out the word "Portage" in the first section thereof, and inserting the word "Marathon;"

Which was agreed to.

And said bill was ordered to be engrossed for a 3d reading.

The question being on concurring in the amendments of the committee to said bill No. 113, *a.*,

A division of the question was called for.

The amendments, except the amendment to the 15th section of said bill,

Were concurred in.

The said amendment to 15th section, by which the committee struck out the following words, to wit:—"In cases where the applicant shall reside more than three miles from any incorporated city or from any village incorporated or unincorporated, containing more than 200 inhabitants."

Was not concurred in.

The question then being on ordering said bill to be engrossed and read a third time,

Mr. Chase moved that the bill be laid on the table, and made the special order for Thursday evening next,

Which was disagreed to.

Mr. Ladue moved to amend the bill by striking out the words "one hundred" in the 7th line of the first section and inserting the words "thirty-five;"

Which was disagreed to.

Mr. Spooner moved that the bill be laid on the table and made the special order for Thursday next;

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were

Messrs. Barnett, Boyce, Cavney, Chase, Clothier, Cole, Dick, Eastman, Estabrook. Everly, French, Fuller, Gifford, Groot, Hale, Julius, Lessey, Lowth, Muzzy, Ray, Rogan, Seaver, Smith, Spooner, Vincent, Waldo, Walker, Wilson—29.

Those who voted in the negative, were

Messrs. Bannister, Biddlecome, Bird, Bjornson, Bradley, Briggs, Doran, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Malmros, Moore, Moorman, Murphy, Olmstead, Perkins, Price, Rodolph, Snover, Tompkins, Tregaskis, Utley, Van Vliet, Wing,—29.

The question pending being on ordering said bill to be engrossed and read a third time,

Mr. Rogan moved that the assembly adjourn;

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornson, Boyce, Cavney, Chase, Clothier, Cole, Cone, Dick, Eastman, Estabrook, French, Fuller, Gifford. Groot, Hale, H. Johnson, Julius, Lessey, Lowth, Muzzy, Ray, Rogan, Smith, Spooner, Utley, Vincent, Walker, Wilson,—31.

Those who voted in the negative, were

Messrs. Biddlecome, Bradley, Briggs, Doran, Everly, Henning, Hulburt, Jenkins, J. B. Johnson, Jones, Kinney, Ladue, Malmros, Moore, Moorman, Murphy, Olmstead, Perkins, Price, Rodolf, Seaver, Snover, Tompkins, Tregaskis, Van Vliet, Waldo, Wing—27.

WEDNESDAY, Feb. 26, 9½ A. M.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

Petitions were presented and severally referred as follows:

By Mr. Waldo,

The petitions of 460 citizens of Marquette and Waushara counties, for the repeal of an act to divide the county of Mar- of Marquette and set apart the county of Waushara. Waushara;

Referred to committee on town and county organization.

By Mr. Eastman,

The petition of Evan Townsend and others, praying

that a state bounty may be authorized, for the destruction of wolves ;

Referred to committee on agriculture and commerce.

By Mr. Bird,

The petition of citizens of Dane county for a road ;

Referred to committee on roads and bridges ;

By Mr. Everly.

Sundry petitions in relation to the county seat of Washington county ;

Referred to select committee having charge of the subject.

Mr. Rogan introduced the following resolution :

Resolved, (if the senate concur,) That the committee on claims of the two houses be, and they are hereby authorized to employ a suitable person to make, in a fair enrolling hand, a manuscript volume of all reports on claims of each session of the legislature of this state, with an index to the same, and also a brief abstract of all appropriations made each year, except to state officers and members and officers of the legislature ; and also a volume of the like reports, index and abstract of the territorial legislative assemblies ; said volume to be kept for the use of the committees on claims and of the legislature, and when not required by them, to be deposited in the office of the secretary of state ; and that hereafter all accounts referred to the committee on claims, and all papers and documents accompanying the same, shall on the adjournment of each session of the legislature be filed in the office of the secretary of state.

Bills were introduced on leave granted, severally read the first and second time, and referred as follows :

By Mr. Tompkins, bill

No. 272, *a.*, a bill to establish and organize a separate supreme court ;

Referred to committee on judiciary.

By Mr. Rogan, bill

No. 273, *a.*, a bill to incorporate the Rock river Insurance company ;

Referred to committee on incorporations.

By Mr. Muzzy, bill

No. 274, *a.*, a bill regulating the fees of attorneys and solicitors;

Referred to a select committee, to wit:

Messrs. Muzzy, Vincent and Estabrook.

By Mr. Waldo, bill

No. 275, *a.*, a bill to incorporate the Strongville Seminary.

Referred to committee on incorporations.

By Mr. Wing, bill

No. 276, *a.*, a bill relating to the suppression of the sale of ardent spirits, and submitting the question of Dram drinking or No Dram drinking to the people.

A motion to suspend the rule concerning bills introduced, as to the said bill,

Was agreed to;

And the bill was referred to the select committee having charge of the subject of liquor laws and petitions in relation to the same.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bills

No. 32, *a.*, a bill to amend section 56, chapter 16, of title 6, part 1 of the revised statutes;

No. 66, *a.*, a bill to appropriate to Albert G. Lull a certain sum of money;

No. 67, *a.*, a bill to appropriate to Ira Gates a sum therein named;

No. 74, *a.*, a bill in relation to insurance on lives, and for the benefit of married women and other persons.

Mr. Rodolf, from the committee on town and county organization, to whom were referred sundry petitions and remonstrances in relation to the county seat of Columbia county, submitted a written report upon the subject, recommending the submission of the matter to a vote of the people of said county, and also reported the following bill;

No. 277, *a.*, a bill to permanently locate the county seat of Columbia county ;

Which was read the first and second time.

Mr. Tohl, from the committee on roads and bridges, reported bills :

No. 278, *a.*, a bill to lay out and establish a state road therein named ;

No. 279, *a.*, a bill to authorize the laying out of a state road therein named ;

No. 280, *a.*, a bill for a state road from Waupacca Falls, in Winnebago county, to Kewaunee in Brown county ;

Which were severally read the first and second time.

Mr. Rodolf, from the committee on town and county organization to whom the same were referred, reported back bill :

No. 17, *a.*, a bill to amend chapter 12, title 4 of the revised statutes ;

Recommending that it do not pass.

And also, bill

No. 189, *a.*, a bill to amend chapter 12, title 4, of the revised statutes ;

Asking to be discharged from the further consideration of said bill.

The committee was so discharged.

Mr. Estabrook, from the judiciary committee, reported bill

No. 281, *a.*, a bill to appropriate to Thomas Reynolds the sum therein named ;

Which was read the first and second time ;

And also in relation to the claim of the said Thomas Reynolds, submitted a written report accompanied with sundry depositions and affidavits.

All of which were laid on the table and ordered to be printed.

The message from the senate was taken up and considered,

The assembly receded from its non-concurrence in the second amendment of the senate to bill

No. 65, *a.*, a bill to authorize Merrick Murphy and his associates to build a dam across the Oconto river;

No. 1, S., a bill to limit the rate of interest;

Was read the first and second time.

The assembly insisted on its amendments to bill

No. 79, S., a bill to incorporate the Madison and Swan lake rail road company.

The following bill, to wit:

No. 103, *a.*, a bill to provide for the survey and sale of certain lands in the town of Winnebago,

Was taken up.

And the question being on concurring in the amendments to said bill which were reported by the committee on state lands;

On motion of Mr. Jenkins,

The assembly took a recess until 11 o'clock, A. M., for the purpose of preparing to meet the senate in joint convention for the election of four Regents of the University of Wisconsin.

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11 O'Clock, A. M.

IN JOINT CONVENTION.

The convention proceeded to the election of four Regents of the University of Wisconsin.

The roll was called, and the vote stood as follows:

For A. Hyatt Smith:

Messrs. Bennett, Conkey, Eastman, Head, Palmer, Rittenhouse, Rountree and Sterling, (senators.)

Messrs. Bannister, Bjornsen, Briggs, Chase, Clothier, Cole, Easton, Everly, Hemenway, Hulburt, Jenkins, H. Johnson,

Jones, Kinney, Lowth, Perkins, Rogan, Seaver, Smith. Snover, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Utley, Waldo and Wing—36.

For J. H. Rountree,

Messrs. Bennett, Conkey, Eastman, Giddings, Huebschmann, Palmer, Reed, Rittenhouse, Sterling, H. G. Turner, P. H. Turner and Wright, (senators.)

Messrs. Bannister, Biddlecome, Bird, Briggs. Hulburt, Jenkins, Jones, Olmstead, Seaver, Smith, Tompkins, Van Vliet, Vincent and Walker—26.

For Alonzo Wing:

Messrs. Huebschmann, Hyer and P. H. Turner, (senators.)

Messrs. Bannister, Barnett, Biddlecome, Clothier, Eastman, Easton, French, Fuller, Groot, Hale, Jenkins, Kinney, Lowth, Malmros, Moore, Muzzy, Osborne, Ray, Rodolf, Rogan, Spooner, Tohl, Tompkins, Utley, Van Vliet, Vincent, Waldo and Wilson—31.

For Cyrus Woodman:

Messrs. Head, Moore, Palmer, Rountree, Sterling and Wright, (senators.)

Messrs. Clothier, Cole. Eastman, Easton, Estabrook, Fuller, Hemenway, Henning, J. B. Johnson, Jones, Ladue, Lessey, Malmros, Moorman, Muzzy, Perkins, Ray, Rogan, Spooner, Tohl, Walker and Wing—28.

For George H. Slaughter:

Messrs. Dean and Reed, (senators.)

Messrs. Biddlecome, Bird, Boyce, Bradley, Briggs, Carney, Cone, Doran, Everly, French, Gifford, Groot, Henning, Julius, Perkins, Snover, Tregaskis and Waldo—20.

For Joseph Turner:

Messrs. Bennett, Dean, Eastman, Giddings, Hyer, Moore, Palmer, Rountree, H. G. Turner and P. H. Turner, (senators.)

Messrs. Barnett, Clothier, Cone, Fuller, Groot, Hubbard, Julius. Moore, Smith and Wing—20.

For J. D. Hawes:

Messrs. Conkey, Gale, Hyer, Moore, Reed and H. G. Turner, (senators.)

Messrs. Bannister, Cole, Cone, Eastman, Estabrook, French, Hale, Kinney, Lessey, Lowth, Moore, Muzzy, Rodolf and Vincent—20.

For G. Aigner:

Messrs. Giddings, Huebschmann and Wright (senators.)

Messrs. Bird, Bjornsen, Boyce, Cavney, Chase, Doran, Everly, Gifford, Henning, Lessey, Malmros, Moorman, Murphy, Rodolf, Rogan and Wilson—19.

For J. D. Ruggles:

Messrs. Dean, Eastman, Gale, Reed, Rountree, H. G. Turner and P. H. Turner, (senators.)

Messrs. Biddlecome, Bird, Bradley, Cavney, Chase, Doran, Hemenway, Ladue, Moorman, Murphy and Utley—18.

For Alexander L. Collins:

Messrs. Bennett, Head, Moore and Sterling, (senators.)

Messrs. Barnett, Briggs, Hale, Hemenway, Hulburt, H. Johnson, Seaver, Smith, Tompkins, Van Vliet, Vincent, Waldo and Wing—17.

For Alexander T. Gray:

Messrs. Boyce, Gifford, Groot, H. Johnson, Jones, Kinney, Lessey, Moorman, Osborne, Seaver, Snover, Tohl, Tregaskis, Walker and Wilson—16.

For H. A. Tenney:

Messrs. Bjornsen, Boyce, Bradley, Cavney, Cone, Doran, Gifford, Hale, J. B. Johnson, Julius, Spooner and Gifford—12.

For A. G. Ellis:

Messrs. Conkey, Gale, Hyer, Rittenhouse and Wright, (senators.)

Messrs. Eastman, Jenkins, Ladue and Malmros—9.

For David Holt, Jr.,

Mr. Giddings, (senator.)

Messrs. Estabrook, French, Henning, Lowth, Muzzy, Tinker and Tregaskis—8.

For A. C. Barry,

Messrs. Everly, Moore, Osborne, Tinker, Utley, Van Vliet and Wilson—7.

For J. N. Jones,

Messrs. Chase, Cole, H. Johnson and Perkins—4.

For J. C. Mills,

Messrs. Easton and Ray—2.

For — Whipple,

Mr. Price—1.

For — Hail,

Mr. Price—1.

For — Johnson,

Mr. Price—1.

For Wm. H. Fox,

Mr. Head (senator)—1,

For Chauncey Abbott,

Mr. J. B. Johnson—1.

For J. Leslie Blair,

Mr. Price—1.

Whole number of votes cast was 80.

No one having received a majority of all the votes cast,

The president announced that there was no election.

Mr. Bird withdrew the name of H. A. Tenney as a candidate.

The speaker of the assembly announced that the chief clerk of the assembly was not a candidate.

The roll was again called and the vote stood as follows:

For A. Hyatt Smith,

Messrs. Bennett, Bugh, Conkey, Eastman, Head, Moore, Palmer, Rountree, Sterling and Wright, (senators.)

Messrs. Bannister, Biddlecome, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Doran, Eastman, Easton, Estabrook, Everly, Fuller, Gifford, Hale, Jenkins, J. B. Johnson, Kinney, Lowth, Moorman, Osborne, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Snover, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Van Vliet, Vincent, Waldo, Walker and Wing—51.

For Alonzo Wing,

Messrs. Huebschmann and Hyer, (senators.)

Messrs. Bannister, Barnett, Biddlecome, Bradley, Clothier, Cole, Cone, Eastman, Easton, French, Fuller, Gifford, Groot, Hale, Hemenway, Jenkins, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lowth, Malmros, Moore, Murphy, Muzzy, Osborne, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Tohl, Tompkins, Utley, Vincent, Waldo, Walker and Wilson—45.

For John H. Rountree,

Messrs. Bennett, Conkey, Giddings, Huebschmann, Hyer, Palmer, Reed, Rittenhouse, P. H. Turner and Wright, (senators.)

Messrs. Bannister, Barnett, Briggs, Cole, Eastman, Everly, Fuller, Hemenway, Hulburt, Jones, Lessey, Moorman, Olmstead, Seaver. Smith, Tompkins, Van Vliet, Vincent, Waldo Walker and Wilson—31.

For Cyrus Woodman,

Messrs. Bugh, Head, Moore, Rittenhouse, Rountree, Sterling, H. G. Turner, and P. H. Turner, (senators,)

Messrs. Biddlecome, Boyce, Clothier, Eastman, Easton, Estabrook, Fuller, Henning, Jenkins, H. Johnson, J. B. Johnson, Jones, Ladue, Malmros, Murphy, Muzzy, Olmstead, Osborne, Perkins, Ray, Rodolph, Snover, Spooner, Tregaskis, Utley, and Wing,—34.

For G. Aigner,

Messrs. Eastman, Gale, Huebschman, Hyer, Rittenhouse, H. G. Turner, and Wright, (senators,)

Messrs. Barnett, Bird, Bjornson, Boyce, Bradley, Briggs, Cavney, Chase, Doran, Gifford, Groot, Hale, Julius, Malmros, Moorman, Murphy, Olmstead, Rodolph, Rogan, Walker and Wilson—28.

For Joseph Turner,

Messrs. Bennett, Conkey, Dean, Eastman, Gale, Huebschmann, Hyer, Palmer, Rountree, H. G. Turner, P. H. Turner, and Wright, (senators)

Messrs. Barnett, Everly, Hulburt, Julius, Lessey, Rogan, and Van Vliet—19.

For Alexander L. Collins,

Messrs. Bennett, Head, Moore, Palmer, Sterling, (senators)

Messrs. Hemenway, Hulburt, Seaver, Smith, Tinker, Tompkins, Vincent, and Waldo—13.

For J. D. Ruggles,

Messrs. Bugh, Dean, Eastman, Gale, and Reed, (senators)

Messrs. Biddlecome, Bird, Bjornsen, Briggs, Cavney, Chase, Clothier, Doran, Everly, Gifford, Jenkins, J. B. Johnson, Julius, Ladue, Malmros, Moorman, Murphy, Osborne, Price, Tohl, Utley, and Wing—27.

For George H. Slaughter,

Messrs. Dean and Reed, (senators)

Messrs. Bird, Cavney, Doran, French, Olmstead, Perkins, and Tregaskis—9.

For A. C. Barry,

Messrs. Head, Moore, and Sterling, (senators)

Messrs. Groot, Hale, H. Johnson, Moore, Muzzy, Tinker, Utley, and Wilson—11.

For Daniel Holt, jr.,

Mr. Giddings, (senator)

Messrs. Bjornson, French, Henning, Lowth, Muzzy, Tregaskis, Walker, and Wing—9.

For J. D. Hawes,

Messrs. Dean, Gale, Giddings, Huebschmann, Reed, Rittenhouse, and H. G. Turner, (senators)

Messrs. Bannister, Boyce, Bradley, Chase, Estabrook, French, Groot, Hale, Henning, Julius, Kinney, Lessey, Moore, and Ray—21.

For Alexander T. Gray,

Mr. Bugh, (senator)

Messrs. Bradley and Price—3.

Whole number of votes cast was 81.

Messrs. A. Hyatt Smith and Alonzo Wing having each received a majority of all the votes cast,

Were declared duly elected Regents of the University of Wisconsin.

The convention proceeded to the election of the regents remaining to be elected.

The roll was called and the vote stood as follows:

For G. Aigner,

Messrs. Bugh, Giddings, Huebschmann, Moore, Rittenhouse, Sterling, and Wright, (senators)

Messrs. Barnett, Bird, Bjornson, Boyce, Bradley, Cavney, Chase, Clothier, Cone, Dick, Doran, Eastman, French, Fuller, Gifford, Groot, Hale, Jenkins, J. B. Johnson, Julius, Ladue, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead, Ray, Rogan, Snover, Van Vliet, Vincent, Walker and Wilson—41.

For James D. Ruggles,

Messrs. Conkey, Dean, Eastman, Gale, Reed, Rountree, H. G. Turner, P. H. Turner, (senators)

Messrs. Biddlecome, Bird, Bjornson, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Easton, French, Henning, Hulburt, Jones, Julius, Kinney, Ladue, Moorman, Price, Smith, Snover, Spooner, Tompkins, Tregaskis, Waldo, and Wing,—34.

For Cyrus Woodman,

Messrs. Bugh, Head, Moore, Palmer, Rountree, and Sterling, (senators)

Messrs. Bannister, Biddlecome, Clothier, Cole, Eastman, Easton, Gifford, Hemenway, Henning, Jenkins, H. Johnson, J. B. Johnson, Lessey, Moore, Murphy, Muzzy, Price, Ray, Rodolph, Rogan, Spooner, Tohl, Tregaskis, Utley, and Wing —31.

For J. H. Rountree,

Messrs. Conkey, Dean, Eastman, Gale, Giddings, Hyer, Reed, Rittenhouse, H. G. Turner, and P. H. Turner, (senators)

Messrs. Bannister, Barnett, Briggs, Cone, Doran, Fuller, Hulburt, Jones, Lessey, Lowth, Malmros, Moore, Olmstead, Rodolph, Seaver, Smith, Tinker, Tompkins, Van Vleit, Waldo, Walker—31.

The whole number of votes cast was 78.

Mr. G. Aigner having received a majority of all the votes cast,

Was declared duly elected a Regent of the University of Wisconsin.

The convention proceeded to the election of a fourth regent,

The roll was called and the vote stood as follows:

For James D. Ruggles,

Messrs. Bugh, Conkey, Dean, Giddings, Huebschmann, Hyer, Palmer, Reed, Rittenhouse, Rountree, H. G. Turner, P. H. Turner, and Wright, (senators).

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Cone, Dick, Doran, Eastman, French, Fuller, Gifford, Hemenway, Henning, Hulburt, J. B. Johnson, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Rodolph, Smith, Snover, Spooner, Tohl, Tompkins, Tregaskis, Waldo, Walker and Wing—63.

For A. C. Barry,

Messrs. Moore and Sterling, (senators)

Messrs. Clothier, Groot, Hale, H. Johnson, Muzzy, Ray, Seaver, Tinker, Utley, Van Vliet, Vincent, and Wilson—14,

The whole number of votes cast was 77.

Mr. J. D. Ruggles having received a majority of all the votes cast,

Was declared duly elected a Regent of the University of Wisconsin.

On motion of Mr. Giddings,

The Convention adjourned, and the honorable senate retired to their chamber.

The Speaker announced the result of the election by the Convention, to the assembly.

The pending question being on concurring in the amendments of the committee to said bill No. 103, *a.*,

On motion of Mr. Price,

Said bill was referred to a select committee of five, to wit,

Messrs. Biddlecome, Bradley, Estabrook, Lowth, and Ladue.

Mr. Biddlecome moved that the assembly adjourn until 7 o'clock, P. M.

Which was agreed to.

And the ayes and noes having been called for, and ordered,

Those who voted in the affirmative, were

Messrs. Bannister. Biddlecome, Bird, Bjornsen, Bradley, Briggs, Cavney, Cole, Doran, Eastman Gifford, Groot, H. Johnson, Ladue, Lessey, Lowth, Moorman, Murphy, Olmstead, Rodolf, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Waldo, Wilson and Wing—28.

Those who voted in the negative, were

Messrs. Barnett, Boyce, Chase, Clothier, Cone, Dick, French, Fuller, Hale, Hemenway, Henning, Hulburt, J. B. Johnson, Jones, Kinney, Moore, Muzzy, Perkins, Ray, Seaver, Smith, Snover, Vincent and Walker—24.

SEVEN O'CLOCK P. M.

A message from the senate by William Hull Esq., their chief clerk;

Mr. Speaker—

I am directed to inform you that senate has passed,

No. 9, *a.*, a memorial to Congress to aid in the improvement of the upper Wisconsin river.

No. 94, *a.*, a bill to incorporate the Female Normal Institute and High School at Milwaukee.

No. 210, *a.*, a bill to amend an act entitled an act to provide for the continuation of the Lisbon and Milwaukee plank road to Watertown and Madison.

No. 133, *a.*, a bill to appropriate to Ira B. Brunson the sum therein named.

And

No. 71, *a.*, a bill authorizing the sale of the unsold odd numbered sections of Milwaukee and Rock river canal grant for the use of schools.

Without amendment ; and

No. 20, *a* , a bill to submit the question of Bank or no Bank.

No. 6, *a.*, a memorial to Congress asking for the cession of the public lands to the states, to be by them sold to actual settlers in limited quantities at cost .

And

No. 85, *a.*, a bill to prevent the killing of deer in certain months in the year.

With amendments,

In which the concurrence of assembly is requested.

Senate has also passed

No. 150, S., a bill to amend chapter 19 of the Revised Statutes.

No. 160, S., a bill defining the boundaries of the village of Westfield in the county of Sauk.

No. 161, S., a bill to provide for the election of supervisors in the city of Kenosha.

No. 166, S., a bill to legalize the acts of the clerk of the circuit court of Green co.

No. 167, S., a bill to authorize the laying out of a state road therein named.

No. 168, S., a bill to authorize the laying out of a state road therein named.

No. 170, S., a bill to amend an act entitled "an act to incorporate the Milwaukee Mutual Fire Insurance company.

No. 171, S., a bill to provide for laying out and opening a state road from Battlefield to Coon Prairie in Bad Axe county.

No. 173, S., a bill to authorize the laying out of a state road therein named.

No. 174, S., a bill to appropriate to Geo. Hyer the sum therein named ; and

No. 175, S., a bill to amend sec. 9, of chap. 76, of the Revised Statutes.

In which I am further directed to request the concurrence of the assembly.

The special order for this evening,

No. 38, *a.*, a bill relating to the assessment and taxation of personal and real property

Was taken up,

The question being on concurring in the amendments to said bill reported by the select committee to whom the bill had been referred ;

The question was divided,

And the said amendments, to wit :

Sec. 4. That part 3, of section 4, of chapter 15, of the Revised Statutes, which exempts all such personal property from taxation as is exempt by law from execution, be, and the same is hereby repealed.

Sec. 5. That an act entitled "an act to amend the existing laws relating to the assessment and taxation of personal property," approved Feb. 9, 1850, together with all acts and parts of acts contravening the provisions of this act, are hereby repealed.

Were severally adopted.

The question then being on ordering said bill to engrossed for a third reading,

Mr. Briggs moved to amend the bill by striking out sec. 2, and inserting the following ;

Sec. 2. All real estate lying without the limits of any incorporated city or village, or without the limits of any village not incorporated, or any real estate laid off into village lots, whether the same be recorded or not, held, used and occupied for the purpose of agriculture, shall, for the purpose of taxa-

tion be assessed at the same rates per acre, as unimproved lands lying contiguous thereto, of like quality, without regard to the improvements thereon, any law of the state to the contrary notwithstanding.

The question being on the adoption of the said amendment,

Mr. Ladue moved that the further consideration of the bill with the pending amendment, be postponed until the 1st of April next.

Which was disagreed to,

The question on adopting the said amendment

Was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett. Bird, Bradley, Briggs, Cavney, Chase, Dick, Everly, French, Gifford, Groot, Hale, Hemenway, Henning Hulburt, Julius, Kinney, Lowth, Malmros, Moorman, Muzzy, Perkins, Tinker, Tompkins, Utley, Van Vliet, Vincent and Wilson—29.

Those who voted in the negative were,

Messrs. Biddlecome, Bjornsen, Boyce, Clothier, Cole, Cone, Doran, Eastman, Easton, Estabrook, Fuller, Jenkins, H. Johnson, J. B. Johnson, Jones, Ladue, Lessey, Murphy, Olmstead, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Tregaskis, Waldo, Walker and Wilson—31.

The question recurring on the engrossment of said bill for a third reading,

Mr. Chase moved to amend the bill by the adoption of the following substitute ;

Sec. 1. Section 3, chapter 15, of the Revised Statutes is hereby amended by striking out the following words"all debts due or to become due from solvent debtors, whether on account, contract, note, mortgage or otherwise."

Sec. 2. an act to amend the existing laws relating to the assessment and taxation of personal property, approved Feb. 9th, 1850, is hereby repealed.

Which was not agreed to.

Mr. Tompkins moved that the bill be amended by striking from the second section the word 'three,' and inserting the word 'five.'

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Bradley, Briggs, Cavney, Dick, Easton, Everly, French, Groot, Hale, Hemenway, Henning, Hulburt, Julius, Kinney, Lowth, Moorman, Olmstead, Perkins, Seaver, Snover, Tinker, Tompkins, Tregaskis, Van Vliet, Vincent, and Wilson—30.

Those who voted in the negative, were

Messrs. Biddlecome, Boyce, Chase, Clothier, Cole, Cone, Doran, Eastman. Estabrook. Fuller, Gifford, Jenkins, H. Johnson, J. B. Johnson, Jones, Ladue, Lessey, Malmros, Murphy, Muzzy, Price, Ray, Rodolf, Rogan, Smith, Spooner, Utley, Waldo, Walker, and Wing—30.

Mr. Briggs moved that the bill be amended by striking from the 2nd section the word "three," and inserting the word "four."

And the question being on agreeing to said amendment,

Mr. Spooner demanded the previous question.

Which was ordered.

And the question, "shall the main question be now put?"

Was decided in the affirmative.

The question then being first on agreeing to said amendment,

It was put and decided in the negative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Bradley, Briggs, Cavney, Dick, Easton, Everly, Hale, Hemenway, Henning, Hulburt, Julius, Moorman, Perkins, Seaver, Snover, Tinker, Tompkins, Tregaskis, Van Vliet, Vincent and Wilson—25.

Those who voted in the negative were.

Messrs. Biddlecome, Boyce, Chase, Clothier, Cole, Cone, Doran, Eastman, Estabrook, French, Fuller, Gifford, Groot, Jenkins, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Lowth, Malmros, Murphy, Muzzy, Olmstead, Price, Ray, Rodolf, Rogan, Smith, Spooner, Utley, Waldo, Walker and Wing—35.

The question on the engrossment of said bill for a third reading,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Dick. Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Henning, Hulburt, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Olmstead, Perkins, Ray, Rodolf, Seaver, Smith, Spooner, Tinker, Tompkins, Tregaskis, Utley, Vau Vliet, Waldo, Wilson, Wing—43.

Those who voted in the negative were,

Messrs. Chase, Clothier, Cole, Cone, Doran, Eastman, Hemenway, Jenkins, H. Johnson, J. B. Johnson, Murphy, Muzzy, Price, Rogan, Snover, Vincent, Walker—17.

Mr. Briggs moved that the rules be suspended and that said bill be read a third time now.

Which was agreed to.

Mr. Rogan moved that the assembly adjourn.

Which was disagreed to.

Said bill was read a third time.

And the question being on its passage,

Mr. Vincent moved its indefinite postponement:

Which was disagreed to.

The question on the passage of the bill,

Was put.

And decided in the affirmative.

And the ayes and noes having been called for and ordered.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Dick, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Murphy, Olmstead, Perkins, Ray, Rodolf, Seaver, Smith, Spooner, Tinker, Tompkins, Tregaskis, Van Vliet, Waldo, Wing—.44.

Those who voted in the negative were,

Messrs, Chase, Clothier, Cole, Cone, Doran, Eastman, Jenkins, J. B. Johnson, Muzzy, Price, Rogan, Snover, Utley, Vincent, Walker, Wilson—16.

The title of the bill was agreed to.

On motion of Mr. Bannister,

The assembly adjourned.

THURSDAY, Feb. 27, 9½ o'clock A.M.

Prayer by the Rev. Mr. Woodward.

On motion of Mr. Henning,

The reading of the journal of yesterday was dispensed with.

Petitions were presented and severally referred, as follows:

By Mr. Barnett,

The petition of Amos Warner and others, that measures may be adopted to secure an amendment to the constitution;

Also,

The petition of J. S. Brown and others, in relation to the writ of habeas corpus;

Both referred to committee on judiciary.

By Mr. Eastman,

The petition of E. D. Hull, and others, for the passage of a law granting an appeal from the decisions of officers entrusted with the sale of state and school lands in certain cases.

Referred to the committee on judiciary.

By Mr. H. Johnson,

The petition of Benjamin Felch and 50 others, inhabitants of the town of Pike, Kenosha county, for a law prohibiting the traffic in intoxicating liquors:

Referred to the select committee on that subject.

Mr. Boyce presented the claim of John Hinshon, for Governor's messages.

Referred to the committee on claims.

Mr. Boyce introduced the following resolution:

Resolved, That the printing of the daily slips be dispensed with for the remainder of the session;

And moved that the rules be suspended for its immediate consideration,

Which was not agreed to.

The following resolution, to wit;

Resolved, (if the senate concur,) That the committee on claims of the two houses be, and they are hereby authorized to employ a suitable person to make, in a fair enrolling hand, a manuscript volume of all reports on claims of each session of the legislature of this state, with an index to the same, and also a brief abstract of all appropriations made each year, except to state officers and members and officers of the legislature; and also a volume of the like reports, index and abstract of the territorial legislative assemblies; said volume to be kept for the use of the committees on claims and of the legislature, and when not required by them, to be deposited in the office of the secretary of state: and that hereafter all

accounts referred to the committee on claims, and all papers and documents accompanying the same, shall on the adjournment of each session of the legislature be filed in the office of the secretary of state.

Was considered and adopted.

Bills were introduced on leave granted, severally read the first and second time and referred as follows,

By Mr. H. Johnson:

Bill No. 282, *a.*, a bill to promote agriculture, horticulture, and the mechanic and household arts.

Referred to committee on agriculture and commerce,

By Mr. Eastman, bill

No. 283 *a.*, a bill to extend the right of appeal to the circuit court in certain cases.

Referred to committee on judiciary.

By Mr. Waldo, bill

No. 284, *a.*, a bill to lay out and establish a state road therein named.

Referred to committee on roads and bridges. Also,

No. 285, *a.* a bill to lay out and establish a state road therein described.

Referred to same committee.

Mr. Spooner, on leave granted, introduced bill

No. 286, *a.*, a bill supplementary to an act entitled, "an act to set apart and incorporate the county of Waushara:" approved February 15, 1851.

Which was read the first and second time, and moved that it be referred to a select committee of three, Mr. Smith to be chairman.

Pending the question on agreeing to said motion for reference,

Mr. Jenkins objected to the bill;

And the question then being, "Shall this bill be rejected?"

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Biddlecome, Boyce, Bradley, Briggs, Cone, Dick, Doran, Eastman, Fuller, Gifford, Henning, Hulburt, Jenkins, J. B. Johnson, Julius, Ladue, Lessey, Malmros, Moore, Moorman, Murphy, Perkins, Price, Rodolf, Seaver, Snover, Tohl, Tompkins, Tregaskis, and Utley—31.

Those who voted in the negative, were

Messrs. Barnett, Bird, Bjornson, Cavney, Chase, Clothier, Cole, Easton, Everly, French, Groot, Hale, Hemenway, H. Johnson, Jones, Kinney, Lowth, Muzzy, Olmstead, Osborne, Ray, Rogan, Smith, Snover, Tinker, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing, and Estabrook—33.

Said motion for reference, was then agreed to.

And the bill was referred to the following select committee, to wit:

Messrs. Smith, Bannister and Whitton.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled, bills

No. 55, *a.*, a bill to amend an act entitled an act to incorporate the city of Racine in the county of Racine;

No. 65, *a.*, a bill to authorize Merrick Murphy and his associates to build a dam across the Oconto river;

No. 92, *a.*, a bill to declare a certain road in the town of Watertown, a lawful highway;

No. 111, S., a bill to appropriate to the county of Waukesha, the sum therein named;

And also reported that the committee had presented to the Governor for his approval, acts and a memorial entitled as follows:

An act to authorize the construction of a toll bridge across Fox River at Little Chute.

An act to authorize the laying out of a state road in Columbia county.

An act appropriating to S. M. Booth, the sum therein named.

An act appropriating to Barstow and Hatch the sum therein named.

An act appropriating to Fratney and Herzburg, the sum therein named.

An act appropriating to James W. Seaton the sum therein named.

An act to appropriate to Knud Langland, the sum therein named.

An act to appropriate to R. W. Lansing, the sum therein named.

An act to incorporate the Milwaukee and Humbolt plank road company.

An act to extend the time for collecting taxes in the town of Pleasant Spring, in Dane county.

An act to change the name of Sarah Rape to Sarah Vroman.

An act to appropriate to Ole Torgerson a certain sum of money therein named.

An act to amend an act entitled an act to incorporate the Sheboygan and Mayville plank road company.

An act to lay out and establish a state road therein described.

An act to authorize Alvan B. Carpenter to construct and maintain a dam across Sugar river.

An act to vacate a part of Lake street, in the village of Port Washington.

An act to divide the county of Crawford and organize the counties of Bad Axe and La Crosse.

An act to extend the eastern boundary of Portage county.

An act to amend an act entitled an act to incorporate the Wisconsin Bridge Company.

An act to apportion to the counties of Marquette and St. Croix, their proportion of the income of the school fund.

An act to appropriate to Albert G. Ellis, the sum therein named.

An act to legalize the organization and acts of school district number four, in the town of Plymouth, Rock county.

An act to vacate a part of a certain street in the village of Port Washington.

An act to legalize the organization and acts of school district number two in the town of Newark, in Rock county.

An act to authorize Jared G. Tomlinson to construct a mill race in the village of Port Washington.

Memorial to the congress of the United States in relation to the improvement of the Portland canal in the state of Kentucky.

The said enrolled bills were severally signed by the speaker of the assembly, *pro tempore.*

And thereupon were transmitted to the Senate.

Mr. Wilson, from the committee on state affairs, to whom the same was referred, reported back bill

No. 259, *a.*, a bill for the relief of the several counties of this State ;

Without amendment ;

And recommended its passage.

And also reported adversely to the prayer of the petition of Ezra Wheeler and 285 others, for the removal of the State Land Office to Strongville, Marquette county ;

And asked to be discharged from the further consideration of said petition.

The report was adopted and the committee discharged.

Mr. Jenkins from the committee on incorporations to whom the same were referred, reported back bills

No. 207, *a.*, a bill to incorporate the Richland City Bridge Company, in Richland county.

No. 248, *a.*, a bill to amend an act entitled "an act to incorporate the Port Washington, Horicon and Beaver Dam Turnpike company," approved March 11th, A. D. 1848 ,

And

No. 109, S., a bill to incorporate the Milwaukee and Green Bay plank road company ,

Without amendment,

And recommended their passage.

Also, bill

No. 197, *a.*, a bill to authorize the construction of a boom across Wolf river ;

Recommending that it do not pass.

Also, bill

No. 271, *a.*, a bill to incorporate the Western Mutual Fire and Marine Insurance Company, of Grand Chute, Outagamie county, Wisconsin;

And asked to be discharged from the further consideration of said bill.

The committee was so discharged.

Mr. Rogan, from the committee on claims, reported bill,

No. 287, *a.*, a bill to appropriate a certain sum of money to Charles Weed.

Which was read the first and second time.

And also reported bills which were referred to said committee.

No. 102, S., a bill to appropriate to Edward H. Rudd the sum therein named,

Without amendment.

Recommending its passage.

And,

No. 237, *a.*, a bill to appropriate to H. H. Chapman the sum therein named,

Without amendment.

Recommending that it do not pass.

Mr. Price, from the committee on state lands, reported bill

No. 288, *a.*, a bill relating to the swamp lands.

Which was read the first and second time.

And also reported back sundry petitions relating to the Winnebago Marsh.

Recommending no action in relation to said petitions.

Which said report was adopted.

Mr. Estabrook, from the committee on judiciary, to whom the same was referred, reported back bills,

No. 81, S., a bill to amend section 213, of chapter 88, of the Revised Statutes.

No 255, *a*, a bill to amend section 3, of chapter 98, part 3, title, 22, of the Revised Statutes.

And

No. 264, *a.*, a bill to amend section 28, of chapter 131, title 29, of the Revised Statutes.

Without amendment.

Recommending that said bills do not pass.

And bills

No. 162, *a.*, a bill to provide for the election of county treasurers,

With a substitute therefor.

And

No. 254, *a.*, a bill to amend section 12, of chap. 131, of title 29, of the Revised Statutes.

And

No. 268, *a.*, a bill to change the name of Catharine Kroeger to that of Catharine Stovecken, and to make her the heir-at-law of Bernhardt Stovecken, and Francisca Stovecken.

With amendments to each

Recommending the passage of said bills.

And also reported back bill

No. 157, *a.*, a bill to amend an act concerning the fees of certain officers and other persons.

Asking to be discharged from the further consideration of said bill.

The committee was so discharged.

Mr. Estabrook, from same committee, further reported adversely to the prayer of the petition of John Hutchinson and 73 others, of the town of Germantown, for the limitation of the present exemption law;

And recommended that no action be had upon the following petitions:

The petition of Cyrus Pasco and others, for steps preliminary to an amendment of the constitution.

A petition relating to Habeas Corpus.

The petition of Thomas Stewart and others, of Green coun-

ty, for the revision of section 12, of chapter 131, of the Revised Statutes.

And

The petition of Myron B. Williams and others, of the village of Watertown, Jefferson county, for the holding of alternate terms of the county court of said county at the said village.

The report of said committee in relation to said peti tions,

Was adopted.

Mr. Rogan. from the committee on claims, to whom the same was referred, asked that said committee be discharged from the further consideration of the claim of Robert L. Ream.

The committee was so discharged.

Mr. Lowth, from the committee on education and school lands, reported bill

No. 289, *a.*, a bill to authorize contiguous school districts to associate together to establish and maintain Academical schools ;

Which was read the first and second time.

Mr. Malmros, from the select committee having charge of the subject, reported back bill

No. 276, *a.*, a bill relating to the suppression of the sale of ardent spirits, and submitting the question of dram drinking or no dram drinking to the people,

Asking to be discharged from the further consideration of the same.

The committee was so discharged.

Mr. H. Johnson, moved that the rules be suspended for the purpose, and that said bill No. 102, S., be read a third time now.

Which was disagreed to.

The messages from the senate were taken up and considered.

The following bills, to wit :

No. 150, S., a bill to amend chapter 19, of the Revised Statutes.

No. 160, S., a bill defining the boundaries of the village of Westfield in the county of Sauk.

No. 161, S., a bill to provide for the election of supervisors in the city of Kenosha.

No. 166, S., a bill to legalize the acts of the clerk of the circuit court of Green county.

No. 167, S., a bill to authorize the laying out of a state road therein named.

No. 168, S., a bill to authorize the laying out of a state road therein named.

No. 170, S., a bill to amend an act entitled, an act to incorporace the Milwaukee Mutual Fire Insurance Company.

No. 171, S., a bill to provide for laying out and opening a state road from Battlefield to Coon Prairie, in Bad Axe county.

No. 173, S., a bill to authorize the laying out of a state road therein named.

No. 174, S., a bill to appropriate to George Hyer the sum therein named.

And

No. 175, S., a bill to amend section 9, chapter 76, of the Revised Statutes.

Were severally read the first and second time.

The substitute of the senate to memorial

No. 6, *a.*, a memorial to Congress asking for the cession of the public lands to the states in which they lie, to be by them sold to actual settlers in limited quantities at cost,

Being under consideration,

And the question being on concurrence in the same,

On motion of Mr. Biddlecome,

The further consideration of the memorial and substitute, was postponed for one week.

The amendments of the senate to bill

No. 20, *a.*, a bill to submit the question of bank or no bank,

Being under consideration,

And the question being on concurring in said amendments,

Mr. Moorman moved that the further consideration of the bill and amendments be postponed for one week.

Which was not agreed to.

The first amendment of the senate to said bill,

Was concurred in.

The question on concurring in the second of said amendments,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Cavney, Cole, Dick, Estabrook, French, Fuller, Gifford, Groot, Henning, J. B. Johnson, Julius, Kinney, Lessey, Lowth, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Rodolf, Snover, Tinker, Tregaskis, Whitton and Wilson—34.

Those who voted in the negative were,

Messrs. Bird, Chase, Clothier, Cone, Doran, Eastman, Easton, Everly, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Jones, Ladue, Osborne, Ray, Rogan, Seaver, Smith, Tohl, Tompkins, Utley, Van Vliet, Vincent, Waldo, Walker and Wing—29.

The remaining amendment of the senate to said bill

Was concurred in.

The amendment of the senate to bill

No. 85, *a.*, a bill to prevent the killing of deer in certain months of the year,

Was not concurred in.

Mr. Biddlecome moved that the rules be suspended for the purpose, and that said bill No. 160 S., be read a third time now.

Which was agreed to.

And said bill was read a third time, passed,

And the title agreed to.

Mr. Price moved that the assembly adjourn until 2 o'clock P. M.

Which was disagreed to.

On motion of Mr. Estabrook,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P M.

No. 32, *a.*, a bill to amend section 56, chapter 16, title 6, part 1, of the Revised Statutes,

Was read a third time, passed,

And the title agreed to.

No. 66, *a.*, a bill to appropriate to Albert G. Lull a certain sum of money.

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

And the ayes and noes being required,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bjornsen, Briggs, Cavney, Chase, Clothier, Cole, Cone, Doran, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hale. Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius. Kinney, Lessey, Moore, Moorman, Muzzy, Olmstead, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Snover, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Van Vliet, Vincent, Waldo, Whitton, Wilson, Wing and Horn (speaker)—49,

None voted in the negative.

The title of the bill was agreed to.

No. 67, *a.*, a bill to appropriate Ira Gates the sum therein named;

Was read a third time,

And the question on its passage was decided in the affirmative;

And the ayes and noes being required,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bjornsen, Briggs, Cavney, Chase, Clothier, Cole, Cone, Doran, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hale, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Lessey, Moore, Moorman, Muzzy, Olmstead, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Snover, Spooner, Tinker, Tohl, Tompkins, Tregaskis. Van Vliet, Vincent, Waldo, Whitton, Wilson, Wing and Horn, (speaker)—50.

None voted in the negative.

The title of the bill was agreed to.

No. 74, *a.*, a bill in relation to insurance on lives, and for the benefit of married women and other persons;

And

No. 56, S., a bill to incorporate the Watertown and Waterloo plank road company.

Were severally read a third time. passed,

And the titles agreed to.

Mr. H. Johnson moved that the rules be suspended for the purpose, and that said bill No. 102, S., be read a third time now,

Which was agreed to.

Said bill was read a third time,

And the question on its passage,

Was decided in the affirmative.

And the ayes and noes being required,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bjornsen, Boyce, Briggs, Cavney, Chase, Cole, Cone, Eastman, Easton, Everly, Fuller, Gifford, Groot, Hale, Hulburt, Jenkins, H. Johnson, J. B.

Johnson, Jones, Julius, Kinney, Lessey, Moore, Moorman, Muzzy, Olmstead, Perkins, Ray, Rodolf, Rogan, Seaver, Smith, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Van Vliet, Vincent, Waldo, Whitton and Wilson—44.

Those who voted in the negative, were

Messrs. Clothier, French, Snover, Wing and Horn, (speaker)—5.

The title of said bill was agreed to.

No. 113, *a.*, a bill licensing the sale of intoxicating drinks,

Was taken up:

And the question being on concurring in the amendments to the bill of the select committee to whom the same had been referred,

On motion of Mr. Perkins,

Said bill was laid on the table.

On motion of Mr. Perkins,

No. 65, S., a bill to repeal a part of an act to incorporate the Wisconsin Bridge company,

Was taken from the table,

And referred to the committee on roads and bridges.

A message from the senate, by Wm. Hull Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that senate has passed

No. 164, S., a bill to provide for holding the terms of the circuit courts in the counties therein named;

And

No. 172, S., a bill to authorize the laying out of a state road therein named;

And have concurred in the passage of

No. 78, *a.*, a bill to incorporate the village of Manitowoc;

In all of which the concurrence of the assembly is requested.

Senate has also passed,

No. 89 *a.*, a bill to appropriate to H. Van Dusen the sum therein named,

Without amendment.

I am also directed to inform you that senate refuses to recede from its noncurrence in the amendments of Assembly to

No. 79 S., a bill to incorporate the Madison and Swan Lake Railroad Company;

And has appointed Messrs. Dean, Hyer, and Conkey, a committee of conference on the disagreeing vote of the two houses on said bill.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole for the consideration of the file of bills in which progress had been made,

Mr. Bannister in the chair,

And after some time spent therein,

The committee rose and by their Chairman, reported bills,

No. 124 *a.*, a bill to authorise the construction of a dam across the Pecatonica river in La Fayette county,

No. 125 *a.*, a bill to provide for the erection and location of a state prison.

No. 126 *a.*, a bill submitting the question of the extension of the right of suffrage to a vote of the people.

No. 153, *a.*, a bill to authorize the laying out a state road therein named.

No. 155 *a.*, a bill to incorporate the Milwaukee and Lisbon plank road or turnpike company;

And

No. 163 *a.*, a bill to attach a certain territory therein named to the town of Bloomingdale;

With amendments,

And bills

No. 68 *a.*, a bill to appropriate to Fratney and Herzburg, the sum of fifty dollars.

No. 115 *a.*, a bill to appropriate to Alex. Mitchell a certain sum of money therein named.

No. 116 *a.*, a bill to appropriate to Alex. Mitchell a certain sum of money therein named.

No. 117 *a.*, a bill to authorize Henry J. Elliott and his associates to build and maintain a bridge across Fox river at Delhi, in the county of Winnebago.

No. 118 *a.*, in relation to state roads.

No. 119 *a.*, a bill to incorporate the La Fayette County Academy.

No. 122, *a.*, a bill to exempt certain persons from paying a poll tax.

No. 127 *a.*, a bill for the relief of the town of Pleasant Spring in the county of Dane.

No. 128 *a.*, a bill to appropriate to J. Quintus the sum therein named.

No. 138 *a.*, a bill for laying out a state road in the county of Dodge;

No. 139, *a.*, a bill for laying out a state road therein described:

No. 141 *a.*, a bill granting to John Coumbs and Thomas Andrew, the right to keep and maintain a ferry across the Wisconsin river, in the town of Richwood, in the county of Richland.

No. 145 *a.*, a bill to provide for laying out and establishing several state roads therein named:

No. 148 *a.*, a bill relating to the sale of mortgaged premises.

No. 150 *a.*, a bill for the relief of Sheboygan county.

No. 152 *a.*, a bill to lay out and establish a state road therein named.

No. 154 *a.*, a bill authorising the laying out of a state road therein named.

And,

No. 156 *a.*, a bill to amend section seventy, chap. sixteen, of title six, of the Revised Statutes.

Without amendment.

And also reported progress on the general file of bills and asked leave to sit again.

Leave was granted.

The report of the committee of the whole,

Being under consideration,

Said bills, No. 68, 115, 116, 117, 118, 119, 127, 128, 131, 138, 139, 141, 150, and 152, *a.*,

Were severally ordered to be engrossed and read a third time,

The amendments of the committee to said bills, No. 124, 153, and 163, *a.*,

Were severally concurred in.

And said bills were severally ordered to be engrossed and read a third time.

The question being on ordering said bill No. 122 *a.*, to be engrossed for a third reading.

Mr. J. B. Johnson moved that said bill be laid on the table,

Which was disagreed to,

And said bill was ordered to be engrossed and read a third time.

Pending the question on ordering said bill No. 125, *a.*, to be engrossed for a third reading.

Mr. Rogan moved that the further consideration of said bill be postponed until Monday next,

Which was agreed to.

Pending the question on ordering said bill No. 126, *a.*, to be engrossed for a third reading.

Mr. Biddlecome moved that said bill be laid on the table;

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, French, Fuller, Hemenway, Henning, J. B. Johnson, Jones, Ladue, Lessey, Moorman, Olmstead, Perkins, Price, Rodolf, Rogan, Stock, Tohl, Utley, Walker, Whitton, Wing, Horn, (speaker)—31.

Those who voted in the negative, were

Messrs. Barnett, Bird, Cone, Dick, Eastman, Easton, Everly, Gifford, Groot, Hale, Hulburt, H. Johnson, Julius, Kinney,

Lowth, Moore, Muzzy, Osborne, Ray, Seaver, Smith, Snover, Spooner, Tinker, Tompkins, Tregaskis, Van Vleit, Vincent, Waldo, Wilson—30.

The amendments to said bill No. 155, *a.*,

Were concurred in,

And the question being on ordering its engrossment for a third reading,

Mr. Jenkins moved that the rules be suspended and that said bill be read a third time now,

Which was not agreed to;

And said bill was ordered to be engrossed and read a third time.

Pending the question on ordering the engrossment of said bill No. 148, *a.*, for a third reading,

Mr. Wing moved to amend the bill by striking out all after the enacting clause, and inserting as follows:

Sec. 1. Every mortgage of real estate that does not contain therein a power of sale, upon default being made in any condition of such mortgage, may be foreclosed by advertisement, in the manner and under the conditions specified in chap. 121 of the revised statutes, for the foreclosure of mortgages containing therein a power of sale. And the said mortgage so foreclosed, and the premises upon which such mortgage may be foreclosed, shall be subject to all the conditions in every respect whatsoever, specified in said chap. 121.

Sec. 2. All that part of chapter 84 of part 3 of the revised statutes, relating to the foreclosure or satisfaction of mortgages in chancery is hereby repealed.

And pending the question on the adoption of the said amendment.

Mr. Ladue moved that the bill and pending amendment be laid on the table,

Which was disagreed to.

The question on the adoption of said amendment,

Was decided in the negative.

And said bill was ordered to be engrossed and read a third time.

Pending the question on ordering the engrossment of said bill No: 156 *a*:, for a third reading,

Mr. Clothier moved that the enacting clause of said bill be stricken out,

Which was agreed to.

Mr. Henning moved that the assembly adjourn,

Which was disagreed to.

Mr. J. B. Johnson moved that bill

No. 193 *a*., a bill to pay C. Latham Sholes the sum therein named,

Be made the special order for Monday evening next:

Which was agreed to.

On motion of Mr. Ladue,

The assembly adjourned.

FRIDAY, Feb. 28, 9½ A. M

Prayer by the Rev. Mr. Lord.

On motion of Mr. Boyce,

The reading of the journal was dispensed with.

Mr. Speaker laid before the assembly communications, as follows :

From the clerk of the board of supervisors of each of the following counties, to wit :

Kenosha, Walworth, Fond du Lac, La Fayette, Iowa, Grant, Racine, and Washington, in relation to the formation of new towns, since the taking of the last census.

Referred to committee on senate and assembly districts.

And also,

Communications, one from the circuit clerk of Richland county, and from the circuit clerk of Marathon county, in relation to fines imposed in criminrl prosecutions, &c.

Referred to committee on ways and means.

Petitions, memorials, and remonstrances were presented and severally referred, as follows:

By Mr. Bjornsen,

The petition of James Bell and 47 others, of the county of Dane, for a repeal of the present liquor law, and for the passage of a law similar to the one now in force in Vermont, which allows the sale of ardent spirits for medical, mechanical and chemical purposes only, and to license only one individual in each town for such purpose.

Referred to committee on charitable and religious institutions.

By Mr. Boyce,

The memorial of D. T. Dickson for damages for a violation of his contract on the part of the state.

Referred to committee on judiciary.

By Mr. Bird,

The petition of citizens of Dane county for a change in the present system of county government.

Referred to select committee having charge of the subject.

By Mr. Osborne,

The remonstrance of John W. Grib, and 120 others, against a division of Milwaukee county.

Referred to committee on town and county organization.

By Mr. Briggs,

The petition of George H. Williston, E. L. Dimock, Ham Richardson, Wm. Trusdell, George Kemp, Wm. L. Mitchell, J. J. R. Pease, E. H. Bennett, Jo Davis, John Mitchell, Wm. W. Holden, Jed Haselton, Pard Older, and many others, citizens of Rock county, and brothers of the O. E. O. of 1001, for the passage of certain laws and a special appropriation for purposes therein named.

Read and referred to committee on judiciary.

Mr. Biddlecome presented the account of George H. Slaughter, also the account of A. W. Parris vs. the state.

Referred to committee on claims.

On motion of Mr. Wing,

No. 276, *a.*, a bill relating to the suppression of the sale of ardent spirits, and submitting the question of dram drinking or no dram drinking to the people,

Was taken up,

And referred to committee on charitable and religious institutions.

Bills were introduced on leave granted, severally read the first and second time, and referred as follows;

By Mr. Olmstead, bill

No. 290, *a.*, a bill to authorize the electors of the county of La Fayette, to vote on the removal of the county seat of said county.

Referred to committee on town and county organization.

Also bill

No. 291, *a.*, a bill to authorize the collection and return of taxes in the town of Willow Springs in La Fayette county.

Referred to same committee,

By Mr. Perkins, bill

No. 292, *a.*, a bill to appropriate to C. H. McLaughlin the sum therein named.

Referred to committee on claims.

By Mr. Wilson, bill

No. 293, *a.*, a bill to appropriate the attorney general the sum therein named.

Referred to committee on claims.

By Mr. Bannister, bill

No. 294, *a.*, a bill relative to the payment of notes or other evidences of debt, where no place of payment is fixed in the note or other evidence of debt, and where the debtor or payee is unable to ascertain the person who is the owner of the note or other evidence of debt.

Referred to committee on judiciary.

By Mr. Bradley, bill

No. 295, *a.*, a bill to legalize a state road therein named.

Referred to committee on roads and bridges.

By Mr. Clothier, bill

No. 296, *a.*, a bill to legalize the acts of town superintendent of the town of Concord.

Referred to committee on education and school lands.

Also bill

No. 297, *a.*, a bill to save the state annually $100,000 by amending sec, 4. and sec. 11, of title 4, of the constitution, to elect members of assembly once in two years, and the legislature to meet once in two years.

Referred to committee on legislative expenditures.

The following resolution, to wit :

Resolved, That the printing of the daily slips of the assembly journal be dispensed with for the remainder of the session

Was considered,

And the question on its adoption,

Was decided in the negative.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bills

No. 96, *a.*, a bill to provide for laying out and establishing state roads therein named.

No. 97, *a.*, a bill to lay out a state road from the junction of the Madison and Verona state road to Wiota.

No. 98, *a.*, a bill to vacate a part of a state road therein named.

No. 100, *a.*, a bill to amend an act entitled, an act to lay out a state road from Green Bay, in Brown county, to Warsaw in Portage county, approved Feb. 9, 1850.

No. 102, *a.*, a bill to lay out a state road from the village of Madison in the county of Dane, to the 1-4 stake on sec. No. 36, township No. 9, north of range No. 2 east, in the county of Richland.

And

No. 108, *a.*, a bill to purchase one hundred copies of the reports of the supreme court of the territory of Wisconsin.

Mr. J. B. Johnson, from the committee on mining and smelting, reported bill

No. 298, *a.*, a bill in relation to smelters.

Which was read the first and second time.

Mr. Malmros, from the committe on senate and assembly districts, submitted the following report:

That in order to afford the people of this state a proper and equal representation in both branches of the legislature, your committee have deemed it most expedient to adopt the number of twelve thousand as the basis for representation in the senate, and four thousand for that of the assembly. According to this ratio, one senator will represent the like number of inhabitants as is represented by three members of assembly. The unit of representation being two thousand, the population of each senatorial district must therefore be divided by this number in order more correctly to ascertain the number of units or shares of representation to which such district will be entitled. This ratio has been applied by your committee to all sections of the state as far as practicable, according to the population, except only in those northern counties now sparsely populated, and in which, as your committee believe, a deviation from the established rule is demanded. In conformity with these views your committee have instructed me to report the following bill. All of which is respectfully submitted.

(Signed) G. C. O. Malmros, Chairman,

And also reported bill

No. 299, *a.*, a bill providing for the apportionment of the members of the senate and assembly.

Which was read the first and second time.

On motion of Mr. Chase,

Said bill and report were ordered to be printed.

Mr. Jenkins, from the committee on incorporations, to whom the same were referred reported back bills

No, 273, *a.*, a bill to incorporate the Rock River Insurance company.

And

No. 275, *a.*, a bill to incorporate the Strongville Seminary.

Without amendment;

And recommended their passage,

And also reported bills

No. 300, *a.*, a bill granting to Henry Kingsbury the right to keep and maintain a ferry across the Wisconsin river, at the Lone Rock in the county of Adams.

And

No. 301, *a.*, a bill to authorize George Stevens and others to improve the Little Bull Falls on Wisconsin river, and repeal an act approved Feb. 9, 1850.

Which were severally read the first and second time.

Mr. Hale, from the committee on town and county organization, to whom the same was referred, reported back bill

No. 221, *a.*, a bill to submit the question of a division of Grant county to a vote of the people.

Without amendment.

And recommended its passage.

Mr. Estabrook, from the committee on judiciary, to whom the same were referred, reported back bills

No. 134, *a.*, a bill to lay out and open a state road from Depere in Brown county, to Willow River in St. Croix county:

Without amendment.

Recommending that it do not pass.

And

No. 253, *a.*, a bill to vacate a part of a street in the village of Omro;

Without amendment.

Recommending its passage.

And also reported back

No. 2, *a.*, a bill relating to interest of money.

Recommending a concurrence by the assembly, in the bill on the subject, passed by the senate.

And submitted a written report concerning the subject of interest of money,

Which was ordered to be printed.

Mr. Smith, from the select committee to whom the same was referred, reported back bill

No. 286, *a.*, a bill supplementary to an act entitled an act to set apart and incorporate the county of Waushara, approved Feb. 15th, 1851.

Recommending that bill be laid on the table.

The report of the committee was adopted.

Mr. Tohl, from the committee on roads and bridges, reported bill

No. 302, *a.*, a bill to authorize the construction of a bridge across Fox river at Twiggs Landing.

Which was read the first and second time.

And also from same committee to whom they were referred reported back bills

No. 284. *a.*, a bill to lay out and establish a state road therein described. And

No. 285, *a.*, a bill to lay out and establish a state road therein described. Without amendment.

Recommending their passage.

Mr. Rogan, on leave granted, introduced bills

No. 303, *a.*, a bill appropriating to Daniel Clark the sum therein named.

No. 304, *a.*, a bill to appropriate to the county of Rock the sum therein named.

Which were severally read the 1st and 2nd time.

Mr. H. Johnson on leave granted, introduced bill

No. 305, *a.*, a bill concerning applications to the legislature.

Which was read the first and second time,

And referred to a select committee, to wit: Messrs. Doran, H. Johnson and Everly.

Mr. Bradley, on leave granted, introduced bill

No. 306, *a.*, a bill defining the western boundary of Columbia county.

Which was read the first and second time.

And referred to committee on town and county organization.

Mr. Estabrook on leave granted, introduced bill

No. 307, *a.*, a bill appropriating to H. Sadd the sum therein named.

Which was read the first and second time,

And referred to committee on claims

The message from the senate was taken up, and considered

The following bills, to wit:

No. 164, S., a bill to provide for holding the terms of the Circuit Courts in the counties therein named;

And

No. 172 S., a bill to authorize the laying out of a state road therein named;

Were severally read the first and second time.

The amendments of the senate to bill

No. 78 *a.*, a bill to incorporate the village of Manitouwoc:

Were concurred in.

Messrs. Bradley, Barnett, and Walker, were appointed a committee of conference on the part of the Assembly in relation to the disagreeing vote of the senate and assembly on bill

No. 79 S., a bill to incorporate the Madison and Swan Lake Rail Road Company.

The following bills, to wit:

No. 96 *a.*, a bill to provide for laying out and establishing the several state roads therein named.

No. 97 *a.*, a bill to lay out a state road from the junction of the Madison and Verona state road, to Wiota;

No. 98 *a.*, a bill to vacate a part of a state road therein named;

No, 100 *a.*, a bill to amend an act entitled an act to lay out

a state road from Green Bay, in Brown county, to Wausau, in Portage county: approved. February 9th, A. D. 1850.

And

No. 102 *a.*, a bill to lay out a state road from the village of Madison, in the county of Dane, to the $\frac{1}{4}$ stake on section No. 36, town No. 9 north, of range No. 2 east, in the county of Richland,

Were severally read a third time, passed,

And the titles agreed to.

No. 68 *a.*, a bill to appropriate to Fratney & Herzberg the sum therein named,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Heminway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborn, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis. Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing, and Horn, (speaker)—63.

None voted in the negative.

The title of the bill was agreed to.

No. 108 *a.*, a bill to purchase 100 copies of the reports of the supreme court of the territory of Wisconsin,

Was read a third time;

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Bradley, Briggs, Cavney, Cole, Cone, Dick, Eastman, Easton, Estabrook, Everly, Fuller, Gifford, Groot, Hemenway, Hul-

burt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Olmstead, Perkins, Price, Ray, Rogan, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Tregaskis, Utley, Waldo, Walker, Whitton, Wilson, and Horn (speaker)—51.

Those who voted in the negative, were

Messrs. Boyce, Chase, French, Hale, Muzzy, Osborne, Rodolf, Seaver, Tohl, Van Vliet, Vincent, and Wing—12.

The title of said bill was agreed to.

Mr. Biddlecome moved that bill

No. 113 *a.*, a bill licensing the sale of intoxicating liquors;

Was taken up,

And the question being on ordering said bill to be engrossed for a third reading,

Mr. Biddlecome moved that the bill be amended by striking from section 15, all after the word "travelers" in the 4th line, to the word "where" in the 6th line, inclusive, and inserting instead thereof, the words "in such cases as," also, by inserting, after the word "dollar" in the 8th line, the words, "according to the discretion of said board;" also, by striking out all after the word "hotel" in the 10th line, to the word, "aforesaid" in the 12th line inclusive;

Which was agreed to.

Mr. Murphy moved that the bill be amended by striking from the 7th line of the 15th section the word "thirty," and inserting in lieu thereof the word "fifteen;"

Which was disagreed to.

Mr. Malmros moved to amend by inserting after the figures "100" in the 7th line of section 1, the words "for villages of 3000 inhabitants and more, and $60 for villages which have less than 3000 inhabitants;

Which was disagreed to.

Mr. Rogan moved to amend, by inserting between the word "thereof," and the word "and," in the 7th line of the 1st section, as follows: "shall be any sum not less than twenty-five dollars, in the discretion of the supervisors, alderman or trustees aforesaid.

Which was agreed to.

Mr. Wilson moved to amend, by striking from the 7th line of 1st section, the words "one hundred," and inserting the word "fifty:"

Which was disagreed to.

The question on ordering said bill to be engrossed and read a third time, was put,

And decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Biddlecome, Bjornsen, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Everly, Gifford, Groo t, Henning, Jenkins, J. B. Johnson, Jones, Julius, Ladue, Lessey, Malmros, Morman, Olmstead, Osborne, Perkins, Price, Rodolph, Rogan, Snover, Stock, Tompkins, Tregaskis, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing, and Horn, (speaker)—39.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Bird, Boyce, Cone, Eastman, Easton, Estabrook, French, Fuller, Hale, Hemenway, Hulburt, H, Johnson, Kinney, Lowth, Moore, Murphy, Muzzy, Ray, Seaver, Smith, Spooner, Tinker, Utley and Vincent—26.

Mr. Doran moved that the rules be suspended for the purpose, and that said bill be read a third time now.

Which was disagreed to.

And the ayes and noes having been called for and ordered.

Those who voted in the affirmative were,

Messrs. Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Chase, Clothier, Cole, Doran, Eastman, Easton, French, Gifford, Henning, Jenkins, J. B. Johnson, Jones, Julius, Ladue, Lessey, Malmros, Moore, Olmstead, Osborne, Perkins, Price, Rodolf, Rogan, Snover, Stock, Tregaskis, Walker, Wilson and Horn, (speaker)—34.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Bird, Cavney, Cone, Dick, Es-

tabrook, Everly, Fuller, Groot, Hale, Hemenway, Hulburt, H. Johnson, Kinney, Lowth, Moorman, Murphy, Muzzy, Ray, Seaver, Smith, Spooner, Tinker, Tompkins, Utley, Van Vliet, Vincent, Waldo, Whitton and Wing—31.

A message from the Governor, by George P. Delaplaine, Esq., private secretary :

EXECUTIVE DEPARTMENT,
Madison, Feb. 27, 1851.

To the Assembly :—

I have this day approved, signed and deposited in the office of the secretary of state acts entitled as follows :

An act to vacate a part of Lake street in the village of Port Washington.

An act to extend the eastern boundary of Portage county.

An act to lay out and establish a state road therein described.

An act to change the name of Sarah Rape to Sarah Vroman.

An act to amend an act entitled, an act to incorporate the Sheboygan and Mayville plank road company.

An act to incorporate the Milwaukee and Humboldt plank road company.

An act to extend the time for collecting taxes in the town of Pleasant Spring in Dane county.

An act to appropriate to Ole Torgerson a certain sum of money therein named.

An act to vacate a part of a certain street in the village of Port Washington.

An act to authorize Jared G. Tomlinson to construct a mill race in the village of Port Washington.

An act to legalize the organization and acts of school district number two in the town of Newark in Rock county.

An act to legalize the organization and acts of school district number four in the town of Plymouth, in Rock county.

An act to appropriate to Albert G. Ellis the sum therein named.

An act to apportion to the counties of Marquette and St. Croix their proportions of the income of the school fund.

An act to amend an act entitled, an act to incorporate the Wisconsin Bridge company.

And

Memorial to the congress of the United States in relation to the improvement of the Portland canal in the state of Kentucky.

(Signed,) NELSON DEWEY.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole for the consideration of the file of bills in which progress had been made by a former committee.

Mr. Biddlecome in the chair.

And after some time spent therein, the committee rose, and by their chairman reported bills :

No. 99, *a.*, a bill for the relief of those persons commonly called Seventh Day Baptists ;

No. 164, *a.*, a bill to amend section 1, of chapter 43 of the revised statutes ;

And

No. 165, *a.*, a bill to amend section 16, chapter 134, title 30, part 4 of the revised statutes ;

Without amendment.

And also reported progress on the said file of bills, and asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration ;

On motion of Mr. Doran,

Said bill No. 99, *a.*, was referred to a select committee.

Messrs. Doran, Easton and Spooner were appointed such committee.

A message from the senate by William Hull Esq., their chief clerk :

Mr. Speaker—

I am directed to inform you that senate has passed—

No. 196, S., a bill to incorporate the Hazle Green Mining company,

In which the concurrence of the assembly is requested.

The consideration of the report of the committee was resumed.

And said bills No. 164 and 165, *a.*, were severally ordered to be engrossed and read a third time.

On motion of Mr. Bird,

No. 114. *a.*, a bill to appropriate James Campbell the sum therein named;

Was taken up,

And referred to the committee on claims.

Mr. Tompkins, on leave granted, introduced bill

No. 308, *a.*, a bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin river and connecting the same by a canal;

Which was read the first and second time.

Mr. Boyce moved that the assembly adjourn until 2 o'clock P. M.

Pending the question on agreeing to said motion,

A motion was made to adjourn until 3 o'clock P. M.

Which was agreed to.

THREE O'CLOCK, P M.

Mr. Price, on leave granted, introduced bill

No. 309, *a.*, a bill to amend an act entitled "an act to divide the county of Crawford, and create the counties of Bad Axe and La Crosse;

Which was read the first and second time.

On motion of Mr. Price,

The rules were suspended and said bill was read a third time.

The question on the passage of said bill,

Was decided in the affirmative.

And the title of the bill was agreed to.

Mr. Walker moved that the rules be suspended for the purpose, and that bill

No. 156, S., an act supplementary to an act to authorize the assessment and collection of taxes in the city of Milwaukee, approved Jan. 24, 1851;

Be read a third time now,

Which was agreed to.

And said bill was read a third time, passed, and the title agreed to.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole, for the consideration of the file of bills in which progress had been made by a former committee.

Mr. Biddlecome in the chair.

And after some time spent therein, the committee rose, and by their chairman reported bills

No. 165, *a.*, a bill to amend section 16, chapter 134, title 30, part 4, of the revised statutes;

No. 201, *a.*, a bill providing for the division of Marquette county and the erection of the county of Menomonee:

And

No. 226, *a.*, a bill to amend chapter 16 of the Revised Statutes, relative to highways and bridges;

With amendments, and bills

No. 169, *a.*, a bill to amend an act entitled, "an act to provide for the continuation of the Lisbon and Milwaukee Plank Road from Watertown to Madison," passed March, 1848.

No. 175, *a.*, a bill for laying out a state road in the counties of Marquette and Winnebago.

No. 177, *a.*, a bill to establish a certain road therein named.

No. 181, *a.*, a bill to authorize the draining or lowering of North Lake in the town of Merton, county of Waukesha.

No. 184, *a.*, a bill to provide for the laying out of a state road therein named.

No. 185, *a.*, a bill to authorize the treasurer of school district No. 5, in the town of Richfield, in the county of Washington, to collect the delinquent tax therein.

No. 186, *a.*, a bill to protect plank, gravel, charcoal and McAdamized roads in the State of Wisconsin;

No. 192, *a.*, a bill to grant the Neenah and Manitowoc Plank Road company the right of way through the state lands.

No. 194, *a.*, a bill for the relief of the town of Alto.

No. 198, *a.*, a bill to amend chapter 192, of the session laws of 1850, entitled "an act to amend the law concerning county courts," approved February 9th, 1850.

No. 200, *a.*, a bill to authorize Thomas J. Townsend to keep a ferry across Fox river.

No. 202, *a.*, a bill to incorporate the Portage Bridge company.

No. 203, *a.*, a bill to lay out a state road therein named.

No. 204, *a.*, a bill to amend an act entitled, "an act authorizing Hugh McFarlane and Robert V. Allen to build a bridge across the Wisconsin river.

No. 205, *a.*, a bill to extend the limit of the town of Rushford, in the county of Winnebago.

No. 206, *a.*, a bill to amend section 8, of chapter 5, of the revised statutes.

No. 213, *a.*, a bill to provide for the fees of sheriffs.

No. 214, *a.*, a bill to pay W. H. Howard the sum therein named.

No. 215, *a.*, a bill to vacate a part of the town plat of the village of Oshkosh, and to legalize a subsequent survey.

No. 216, *a.*, a bill to permit certain animals to run at large.

No. 217, *a.*, a bill declaring a certain road in the village of Hazle Green a public highway.

No. 223, *a.*, a bill to legalize the acts of school district number 4, in the town of Ottawa.

No. 225, *a.*, a bill to provide for laying out and establishing certain roads therein named.

No. 227, *a.*, a bill to amend chapter 70 of the revised statutes ;

And

No. 228, *a.*, a bill to amend chapter 88 of the revised statutes ;

Without amendment.

And also reported progress on the said file of bills, and asked leave to sit again.

Leave was granted.

A message from the senate, by Wm. Hull Esq., their chief clerk :

Mr. Speaker—

I am directed to inform you that senate have concurred in the passage of bill

No. 309, *a.*, a bill to amend an act entitled "an act to divide the county of Crawford and create the counties of Bad Ax and La Crosse ,

Without amendment.

The report of the committee of the whole being under consideration,

And the question being on concurring in the amendments of the committee to said bill, No. 201, *a.*,

On motion,

The enacting clause of said bill was stricken out.

The amendments of the committee to said bill No. 166, *a.*,

Were concurred in.

And said bill was ordered to be engrossed and read a third time.

The amendments of the committee to said bill No. 226, *a.*,

Were not concurred in.

And the question being on ordering said bill to be engrossed for a third reading,

Mr. H. Johnson moved that the enacting clause of said bill be stricken out.

Which was disagreed to.

The question recurring on ordering said bill to be engrossed and read a third time,

It was decided in the negative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative were,

Messrs. Biddlecome, Bjornsen, Briggs, Cavney, Cole, Everly, Jenkins, J. B. Johnson, Jones, Malmros, Moorman, Price, Stock, Tompkins, Tregaskis, Waldo, Whitton, and Horn (speaker)—18.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Bird. Boyce, Chase, Clothier, Cone, Dick, Doran, Eastman, Easton, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt. H. Johnson, Julius, Kinney. Ladue, Lessey, Lowth, Moore, Murphy, Muzzy, Olmstead, Osborne. Perkins, Ray, Rodolf. Rogan, Seaver, Smith, Snover, Spooner, Van Vliet, Vincent, Walker. Wilson and Wing—44.

Said bills No. 175, 177. 181, 185, 192, 194, 200, 202, 203, 204, 205, and 215, *a.*,

Were severally ordered to be engrossed and read a third time.

On motion of Mr. Rogan,

Said bill No. 169, *a.*, was laid on the table.

On motion of Mr. Eastman,

Said bill No. 184, *a.*, was laid on the table.

The question being on ordering said bill No. 186, *a.*, to be engrossed for a third reading,

Mr. H. Johnson moved to amend the bill by adding to sec. 1, the following :

And all plank or other road companies, (except rail roads) whose charters were granted previous to the formation of a

State Government, are hereby subjected to all the regulations restrictions and liabilities of chapter 50, of the Revised Statutes, and entitled, "of the incorporation of plank and turnpike road companies.',

Which was agreed to.

And said bill was ordered to be engrossed and read a third time.

On motion of Mr. Rodolf,

Said bill No. 198, *a.*, was laid on the table.

Pending the question on ordering said bill No. 183, *a.*, to be engrossed for a third reading,

Mr. Murphy moved to amend the bill by adding the following section :

Sec. 2. This act shall take effect from and after its passage.

Which was agreed to.

Said bill was then ordered to be engrossed and read a third time.

On motion of Mr. J. B. Johnson,

Said bill No. 217, *a.*, was referred to a select committee.

Messrs. J. B. Johnson, Tregaskis and Cole were appointed such committee.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled, bills

No. 47, S., a bill to provide for the laying out of a state road in the county of Brown.

No. 102, S., a bill to appropriate to Edward H. Rudd the sum therein named.

No. 156, S., a bill supplementary to an act to authorize the assessment and collection of taxes in the city of Milwaukee, approved January 24th 1851.

No. 20, *a.*, a bill to provide for the submission of the question of bank or no bank to the people.

No. 71, *a.*, a bill authorizing the sale of the unsold odd-numbered sections of Milwaukee and Rock River canal grant for the use of schools.

No. 89, *a.*, a bill to appropriate to H. Van Dusen the sum therein named.

No. 94, *a.*, a bill to incorporate the Female Normal Institute and high school at Milwaukee.

No. 133, *a.*, a bill to appropriate to Ira B. Brunson the sum therein named.

No. 210, *a.*, a bill to amend an act entitled "an act to provide for the construction of the Lisbon and Milwaukee plank road to Watertown and Madison."

And

No. 309, *a.*, a bill to amend an act entitled, "an act to divide the county of Crawford, and create the counties of Bad Axe and La Crosse.

Also memorial,

No. 9, *a.*, a memorial to Congress for a grant of land to aid in the improvement of the Wisconsin river, from Fort Winnebago to Beaulieux Rapids.

Said enrolled bills and memorial were severally signed by the speaker.

Pending the further consideration of the report of the committee of the whole,

On motion of Mr. Chase,

The assembly adjourned until half past 7 o'clock P. M.

7½ O'Clock P. M.

Mr. Lessey, upon leave granted, introduced bill

No. 310, *a.*, a bill to incorporate the Wisconsin Manufacturing company of Grand Chute.

Which said bill was read a first and second time, and referred to the judiciary committee.

Mr. Ladue, upon leave granted, introduced bill

No. 311, *a.*, a bill to vacate a part of the plat of the village of Sheboygan.

Which was read a first and second time.

The special order for the evening, to wit:

Mem. No. 4, S., a memorial to Congress for the repeal or modification of the "Fugitive Slave Law."

With amendment,

Was taken up.

And the question being on concurring in the amendment thereto,

Mr. Ladue moved that said memorial with amendment, be laid upon the table.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Biddlecome, Bradley, Briggs, Chase, Cole, French, Fuller, Henning, J. B. Johnson, Julius, Ladue, Lessey, Malmos, Moore, Moorman, Murphy, Olmstead, Perkins, Rodolf, Rogan, Tompkins, Tregaskis, Walker, Whitton, and Horn, speaker)—25.

Those who voted in the negative were,

Messrs. Bannister, Bird, Bjornsen, Cavney, Clothier, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Jones, Kinney, Muzzy, Osborne, Seaver, Smith, Spooner, Stock, Tinker, Van Vliet, Vincent, Waldo, Wilson, Wing—32.

On motion of Mr. Jenkins,

Said memorial and pending amendment were made the special order for next Tuesday evening.

Mr. Jenkins, on leave granted, introduced bill

No. 312, *a.*, a bill to lay out a state road in the county of Jefferson and Waukesha,

Which was read the first and second time,

And referred to a select committee, to consist of the members from said counties.

Mr. Lowth, from the committee on education and school lands, reported bill

No. 213, *a.*, a bill to provide for raising a tax in Union School District, composed of districts No. 5, 7, and 8, in the towns of Porter, Union and Dunkirk.

No. 314, *a.*, a bill for the relief of school district No. 4, of the towns of Janesville and Harmony, in Rock county:

And

No. 315, *a.*, a bill to legalize certain acts of the district board of school district no. 9, in the town of Eagle, Waukesha county.

Which were severally read the first and second time.

The assembly adjourned,

SATURDAY, March 1; 10 A. M.

Prayer by Rev. Mr. Woodward.

Pending the reading of the journal,

On motion of Mr. Fuller,

The further reading thereof was dispensed with.

The speaker laid before the assembly a communication from the clerk of the Board of Supervisors of Sheboygan county, in relation to the formation of new towns:

Referred to committee on Senate and Assembly districts.

Also, a communication from the Circuit Clerk of Manitowoc county, in relation to fines in criminal prosecutions;

Referred to committee on ways and means.

Also, the annual statement of the Merchant's Mutual Insurance company.

Referred to committee on incorporations.

Mr. Estabrook presented the petition of J. B. Jilson and others for amendment of chapter 102 of revised statutes ;

Referred to committee on judiciary.

Also,

The remonstrance of numerous citizens of Hudson, Walworth county, against a law authorizing a central school in said town ;

Referred to committee on education and school lands.

Mr. Bird presented the account of Jerome R. Brigham, vs. the state .

Referred to committee on claims.

Mr. Wilson introduced the following resolution :

Resolved, That the judiciary committee, to whom was referred bill

No. 14, *a.*, a bill to limit the quantity of land hereafter to be held or owned by any one person :

Be requested to make a report thereon at the earliest practicable moment.

Mr. Estabrook introduced the following resolution :

Resolved, That the use of this assembly hall be given to Miss Helen Matthews, for the purposes of a concert on Friday evening next ;

And the rules having been suspended for its immediate consideration,

It was considered and adopted.

Bills were introduced on leave granted, severally read the first and second time, and referred, as follows :

By Mr. Biddlecome, bill

No. 316, *a.*, a bill to provide for the payment of indebtedness to the School Fund ,

Referred to committee on education and school lands.

By Mr. Estabrook, bill

No. 317, *a.*, a bill to amend chapter 102 of the revised statutes .

Referred to committee on judiciary.

By Mr. Chase, bill

No. 318, *a*., a bill to appropriate to King & Fuller a certain sum of money therein named;

Referred to committee on Legislative Expenditures.

By Mr. Bird, bill

No. 319, *a*., a bill appropriating to Jerome R. Brigham a sum of money therein named;

Referred to committee on claims.

By Mr. Lowth, bill

No. 320, *a*., a bill to establish the "ten hour system of labor" on public works;

Referred to a special committee of one, to wit: Mr. Lowth.

By Mr. Olmstead, bill

No. 321, *a*., a bill to grant to the Chicago and Galena and Chicago Union Rail Road company, the privilege of extending and running said road through La Fayette county;

Referred to committee on incorporations.

By Mr. Briggs, bill

No. 322, *a*., a bill to appropriate to J. W. Seaton a certain sum of money;

Referred to committee on legislative expenditures.

Also, bill

No. 323, *a*;, a bill to appropriate to J. L. Marsh a certain sum of money;

Referred to same committee.

By Mr. Whitton, bill

No. 324, *a*., a bill to legalise the organization and acts of school district no. 4, in the town of Ashippun, in Dodge county.

Referred to committee and education and school lands.

By Mr. Perkins, bill

No. 325 *a*., a bill to change the name of the village of Jefferson, in Grant county;

Referred to committee on judiciary.

By Mr. Smith, bill

No. 326 *a.*, a bill to appropriate to Atwood and Buck, the sum of money therein named;

Referred to committee on legislative expenditures.

Also,

No. 327 *a.*, a bill to appropriate to J. A. Hadley the sum therein named;

And,

No. 328, *a.*, a bill to appropriate to Robert B. Wentworth the sum of money therein named ;

Referred to same committee.

By Mr. Ray, bill

No. 329, *a.*, a bill defining certain duties of the State Superintendent ;

Referred to committee on education and school lands.

By Mr. Lowth, bill

No. 330. *a.*, a bill to appropriate to E. B. Quiner the sum therein named ;

Referred to committee on legislative expenditures.

By Mr. Bird, bill

No. 331, *a.*, a bill to appropriate to W. W. Wyman & Sons the sum therein named ;

Referred to same committee.

By Mr. Vincent, bill

No. 332, *a.*, a bill to appropriate a certain sum of money therein named ;

Referred to same committee.

By Mr. Wing, bill

No. 333, *a.*, a bill in relation to normal schools ;

Referred to committee on education and school lands ;

By Mr. Chase, bill

No. 334, *a.*, a bill to appropriate money for the purposes therein mentioned ;

Referred to a select committee, to wit: Messrs. Chase, Rogan and Smith.

By Mr. Jenkins, bill

No. 335, *a.*, a bill to appropriate to S. M. Booth a certain sum of money ;

Referred to committee on legislative expenditures.

By Mr. Murphy, bill

No. 336, *a.*, a bill to appropriate to A. J. Ladue a certain sum of money ;

Referred to same committee.

By Mr. Olmstead, bill

No. 337, *a.*, a bill for the relief of the treasurer of the town of Kendall, in the county of La Fayette for the year 1850.

Referred to committee on town and county organization.

By Mr. Briggs, bill

No. 338, *a.*, a bill in relation to bridges across navigable streams ;

Referred to committee on Roads and Bridges.

By Mr. Bradley, bill

No. 339, *a.*, a bill to authorize the town authorities of Ft. Winnebago to construct a free bridge across the Wisconsin Rriver ;

Referred to committee on roads and bridges.

By Mr. Chase, bill

No. 340, *a.*, a bill to appropriate to Fratney & Hertzberg a certain sum of money ;

Referred to committee on legislative expenditures.

By Mr. Bird, bills

No. 341, *a.*, a bill to appropriate to Beriah Brown the sum therein named ;

Also,

No. 342, *a.*, a bill to appropriate to Beriah Brown the sum therein named ;

Referred to committee on printing.

By Mr. Moore, bill

No. 343, *a.*, a bill to appropriate to R. A. Bird the sum therein named ;

Referred to committee on legislative expenditures.

By Mr. Briggs, bill

No. 344, *a.*, a bill to appropriate to D. T. Dickson a sum therein named.

Referred to committee on judiciary.

By Mr. Eastman, bill

No. 345 *a.*, a bill to authorize the construction of a bridge across Wolf river at Mukwa, in the county of Waupacca;

Referred to committee on roads and bridges.

Mr. Rogan from committee on claims, reported bills

No. 346 *a.*, a bill to appropriate to Moritz Schoeffler, the sum therein named;

And,

No. 347 *a.*, a bill to appropriate to William Gansman the sum therein named;

And also reported back bill

No. 114 *a.*, a bill to appropriate to James Campbell the sum therein named;

Without amendment,

Recommending its passage.

Which were read the first and second time.

Mr. Estabrook, from committee on judiciary, reported bill

No. 348 *a.* a bill to repeal "an act authorizing J. D. Doty, Curtis Reed, Harrison Reed and their associates to construct a bridge across the south branch of lake Winnebago," approved Feb. 5, 1850.

Which was read the 1st and second time.

Mr. Tohl, from the majority of the select committee having charge of the subject, reported bill

No. 349 *a.*, a bill to permanently locate the seat of justice of Washington county:

Which was read the first and second time.

And also submitted a written report on the subject,

Which was read and laid on the table.

Bills were further introduced, on leave granted, read the 1st and 2d time, and referred as follows;

By Mr. Easton, bill

No, 350 *a.*, a bill to appropriate to Ole Torgerson, the sum therein named;

Referred to committee on legislative expenditures.

By Mr. Bird, bill

No. 35, *a.*, a bill to legalize school district No. 2, in Fort Winnebago, and authorize a tax;

Referred to committee on education and school lands.

By Mr. Eastman, bill

No. 353 *a.*, a bill to incorporate the Oskosh and Waupun Plank Road Company;

Referred to committee on incorporations.

By Mr. Briggs, bill

No. 354 *a.*, a bill to confer special powers upon the people of Columbia county, to understand the Revised Statutes;

Referred to committee of the whole.

By Mr. Gifford, bill

No. 355 *a.*, a bill to legalize school district No. 4. in the town of Ottawa;

Referred to committee on education and school lands.

Mr. Henning, from committee on engrossment, reported as correctly engrossed, bills

No. 95 *a.*, a bill relating to the Militia.

No. 112 *a.*, a bill to incorporate the Palmyra and Jefferson Plank Road Company,

No. 113, *a.*, a bill licensing the sale of intoxicating liquors; And

No. 155 *a.*, a bill to incorporate the Milwaukee and Lisbon Plank Road or Turnpike Company.

Mr. Muzzy, from the select committee to whom the same was referred, reported back bill

No. 274 *a.*, a bill regulating the fees of attorneys and solicitors;

Without amendment,

Recommending its passage.

Mr. Moore, from the select committee to whom was referred the matter of the county seat of Washington county, submitted a written report;

Which was read and laid on the table.

Mr. Wing, from the select committee to whom the same was referred, reported back bill,

No. 312 *a.*, a bill to lay out a state road in the county of Jefferson and Waukesha,

Without amendment,

Recommending its passage.

Mr. Easton, from the select committee to whom the same was referred, reported back bill

No. 99 *a.*, a bill for the relief of those persons commonly called Seventh Day Baptists,

With a substitute therefor.

The message from the senate was taken up, and bill

No. 196, S. a bill to incorporate the Hazle Green Mining Company;

Was read the 1st and 2nd time.

The following bills to wit:

Said bills no. 95, 112, and 155, *a.*,

Were severally read a third time, passed

And the titles agreed to.

Said bill No. 113, *a.*, was read a third time.

And the question on its passage

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Biddlecome, Bjornsen, Bradley, Briggs, Cavney, Chase, Cole, Dick, Doran, Fuller, Groot, Henning, Jenkins, J. B. Johnson, Jones, Julius, Ladue, Lessey, Malmros, Murphy' Olmstead, Osborne, Rogan, Stock, Tompkins, Walker, Whitton, Wilson, Wing and Horn, (speaker)—30.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Bird, Clothier, Cone, Eastman, Easton, Estabrook, French, Hale, Hemenway, Hulburt, Kinney, Lowth, Moore, Ray, Seaver, Smith, Spooner, Tinker, Tohl, Utley, Vincent—24.

The title of said bill was agreed to.

Bills reported by a committee of the whole

Being under consideration,

No. 206, *a.*, a bill to amend sec. 8, of chap. 5, of the Revised Statutes

Was ordered to be engrossed for a third reading.

The amendments of the committee to bill

No. 216, *a.*, a bill to permit certain animals to run at large,

Were not concurred in.

And the question being on ordering said bill to be engrossed for a third reading,

Mr. Whitton moved to amend the bill by striking from the 1st section the words, "except the months of December, January and February."

Which was agreed to.

Mr. Jenkins moved to insert after the word 'bulls' the word 'rams.'

Which was agreed to.

Mr. Eastman moved to insert after the word 'rams' the word 'boars.'

Which was agreed to.

Mr. Bjornsen moved to amend the bill by striking therefrom the clause 'providing that the owners of any cattle so running at large, shall not be compelled to pay any damage that said cattle may do,' when the same is not done on enclosed ground.'

Which was agreed to.

Mr. Eastman called for the previous question.

Which was ordered.

The question, "shall the main question be now put ?"

Was decided in the affirmative.

The question on the engrossment of said bill for a third reading,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barnett, Biddlecome, Bird, Bradley, Cavney, Eastman, French, Groot, Hale, Henning, Jenkins, J. B. Johnson,

Jones, Julius, Ladue, Lessey, Lowth, Murphy, Muzzy, Olmstead, Seaver, Smith, Spooner, Stock, Tinker, Tompkins, Utley, Van Vliet, Walker, Whitton, Wilson, and Horn, (speaker)—32

Those who voted in the negative were,

Messrs. Bannister, Bjornsen, Chase, Clothier, Cole, Cone, Dick, Doran, Easton, Estabrook, Fuller, Gifford, Hemenway, Hulburt, Kinney, Malmros, Moore, Osborne, Ray, Rogan, Tohl, and Wing—22.

The question on ordering bill

No. 223, *a.*, a bill to legalize the acts of school district no. 4, in the town of Ottawa,

To be engrossed for a third reading,

Was decided in the negative.

And said bill was laid on the table.

A message from the senate, by Wm. Hull, Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that the senate have passed the following resolution:

Resolved, (if the senate concur,) That the committee on claims, of the two houses, be, and they are hereby authorized to employ a suitable person to make, in a fair enrolling hand, a manuscript volume of all reports on claims of each session of the legislature of this state, with an index to the same, and also a brief abstract of all appropriations made each year, except to state officers and members and officers of the legislature; and also a volume, of the like reports, index, and abstract, of the territorial legislative assemblies; said volume to be kept for the use of the committees on claims, and of the legislature, and when not required by them, to be deposited in the office of the secretary of state: and that hereafter all accounts referred to the committee on claims, and all papers and documents accompanying the same, shall, on the adjournment of each session of the legislature, be filed in the office of the secretary of state,

With an amendment

In which the concurrence of the assembly is requested.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole for the consideration of the general file of bills,

Mr. J. B. Johnson in the chair.

And after some time spent therein,

The committee rose and by their chairman reported bills

No. 110, *a.*, a bill to appropriate funds for the benefit of the Institution of the Blind;

No. 111, *a.*, a bill for the prevention and punishment of immorality and disorderly practices;

No. 151, *a.*, a bill to change the time for making assessment and collection of taxes in the county of Portage;

No. 176, *a.*, a bill to authorize the construction of a bridge across Wolf river at Winneconna;

No. 178, *a.*, a bill to provide for proving pre-emption rights, and to amend sec. 40, of chapter 24, of the Revised Statutes;

No. 180, *a.*, a bill to authorize Henry Thiel and his associates to build a dam across the Milwaukee river;

No. 182, *a.*, a bill to establish an agricultural department in the University of Wisconsin;

No. 191, *a.*, a bill for the relief of the town of Green Bay,

No. 199, *a.*, a bill to provide for the apportionment of school moneys by town superintendents in towns bordering on the south line of the state.

No. 207, *a.*, a bill to incorporate the Richland city bridge company, in Richland county;

No. 209, *a.*, a bill to authorize a tax to build a school house;

No. 211, *a.*, a bill to confer certain powers upon organized school districts, and for other purposes,

No. 212, *a.*, a bill to establish the Cascade Academy,

No. 222, *a.*, a bill to authorize Ebenezer Dakin to build a dam across White river;

No. 246, *a.*, a bill to authorize the laying out of a state road therein named ;

No. 247, *a.*, a bill to establish a state journal of education ;

No. 248, *a.*, a bill to amend an act entitled, "an act to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company," approved March 11th, A. D. 1848 ;

No. 249, *a.*, a bill to authorize the village of Sheboygan to borrow money ,

No. 250, *a.*, a bill to provide for laying out a state road in the counties of Jefferson and Waukesha ;

No. 253, *a.*, a bill to vacate a part of a street in the village of Omro ;

No. 256, *a.*, a bill to authorize the citizens of the village of Waucoma to build a meeting house on the public square of said village.

Without amendment.

And also reported progress on the general file of bills,

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bills no. 110, 111, 151, 176, 178, 180, 182, 191, 199, 209, 211, 222, 246, 248, 249 and 253, *a.*,

Were severally ordered to be engrossed and read a third time.

Pending the question on ordering the engrossment of said bill no. 250, *a.*, for a third reading,

On motion of Mr. Ray,

Said bill was laid on the table.

Pending the question on ordering said bill no. 212, *a.*, to be engrossed for a third reading,

Mr. Murphy moved to amend the bill by an additional section, to wit :

Sec. — This act shall take effect from and after its passage.

Which was agreed to.

Said bill was then ordered to be engrossed for a third reading.

The further consideration of said bills no. 207, 247 and 256, *a.*,

Was postponed for the present, under Rule XXIII of the assembly.

On motion of Mr. Ray,

Said bill no. 250, *a.*,

Was taken up,

And the question being on ordering said bill to be engrossed and read a third time,

It was decided in the affirmative.

Mr. Gifford, from the committee on agriculture and commerce, to whom the same was referred, reported back bill

No. 282, *a.*, a bill to promote agriculture, horticulture and the mechanic arts,

Without amendment.

Recommeding its passage.

Mr. Bird moved that the assembly adjourn.

Which was disagreed to.

On motion of Mr. Walker,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

Mr. Eastman submitted the following report:

The select committee to whom was referred the memorial of E. Daniels and I. A. Lapham, beg leave to report, that they have had the subject under consideration, and it does not appear to your committee that any beneficial results will be realized from such contemplated exploration, commensu-

rate with the expenses likely to be incurred by the state in prosecuting the same.

They therefore recommend that no further action be had on the subject.

(Signed,) EDWARD EASTMAN.
JOHN F. LESSEY.

Which report was adopted.

Mr. Clothier moved that the rules be suspended for the purpose,

And that said bill no. 312, *a.*, be read a third time now;

Which was agreed to.

Said bill was read a third time, passed,

And the title agreed to.

On motion of Mr. Eastman,

No. 184, *a*, a bill to provide for the laying out of a state road therein named;

Was taken from the table and returned to the file of bills reported by a committee of the whole.

A message from the senate, by William Hull, Esq., their chief clerk:

Mr. Speaker:—

I am directed to inform you that senate has passed

No. 63, S., a bill to amend chapter 88 of the revised statutes concerning the action of replevin before justices of the peace.

No. 126, S., a bill relating to the duties of auctioneers.

No. 128, S., a bill to establish highways.

No. 130, S., a bill to incorporate the Lake and Mississippi Steam Boat Company.

No. 151. S., a bill to amend chapter 117 of the revised statutes, relative to forcible entries and detainers.

No. 159, S., a bill concerning the writ of error.

No. 179, S., a bill to appropriate to William E. Cramer the sum therein named.

No. 180, S., a bill to vacate a portion of the plat of the village of Fond du Lac.

No. 182, S., a bill to authorize the Racine and Rock River plank road company to extend a branch of their road to Sugar Creek Prairie.

No. 185, S., a bill to pay William Doughty the principal and interest due on five bonds, issued by the territory of Wisconsin.

No. 188, S., a bill to authorize the erection of a free bridge across the Milwaukee river at Humboldt, in Milwaukee county.

No. 190, S., a bill to vacate a part of the town plat of the village of Westfield, in Sauk county.

No. 191, S., a bill to provide for laying out a state road from Fort Atkinson to Palmyra in Jefferson county.

No. 193, S., a bill to authorize the laying out of a state road from Reedsburgh in Sauk county to Stevens Point in Portage county.

No. 194, S., a bill appropriating to E. B. Quiner the sum therein named.

No. 197, S., a bill to provide for laying out a state road from Franklin in Iowa county to intersect the state road at or near Round Prairie in Bad Ax county.

No. 198, S., a bill providing for the appointment of commissioners to review and survey a territorial road therein named.

No. 199, S., a bill to appropriate to John W. Hunt the sum of money therein named,

No. 205, S., a bill to appropriate to Rood & Whittemore the sum therein named.

And

No. 203, S., a bill to amend chapter 15, of the revised statutes, and to prescribe the manner in which delinquent tax lands bid off by the counties shall be taxed.

In which the concurrence of the assembly is requested.

Mr. Tompkins, from the select committee on that subject, reported back bill

No. 308, *a.*, a bill to amend an act entitled "an act to pro-

vide for the improvement of the Fox and Wisconsin Rivers, and connecting the same by a canal,

Without amendment,

Recommending its passage.

On motion of Mr. Walker,

No. 4, S., a bill authorizing the construction of wharves in the city of Milwaukee;

Was taken from the table and returned to the file of bills reported by a committee of the whole.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bills

No. 115, *a.*, a bill to appropriate to Alexander Mitchell a certain sum of money therein mentioned.

No. 116, *a.*, a bill to appropriate to Alexander Mitchell a certain sum of money therein mentioned.

No. 117, *a.*, a bill to authorize Henry J. Elliott and his associates to build and maintain a bridge across Fox river at Delhi in the county of Winnebago.

No. 118, *a.*, a bill in relation to state roads.

No. 119, *a.*, a bill to incorporate the La Fayette county Academy.

No. 122, *a.*, a bill to exempt certain persons from paying poll tax.

And

No. 124, *a.*, a bill to authorize the construction of a dam across the Pecatonica river in La Fayette county.

A message from the senate by William Hull, Esq., their chief clerk.

Mr. Speaker:—

I am directed to inform you that the senate has concurred in the passage of

No. 23, *a.*, a bill to amend chapter 19, of title 7, part 1 of the revised statutes.

And

No. 195, *a.*, a bill to lay out a state road therein named.

With amendments to each.

In which the concurrence of the assembly is requested.

The assembly resolved itself into committee of the whole, for the consideration of the general file of bills.

Mr. Jenkins in the chair.

And after some time spent therein,

The committee rose and by their chairman, reported bill

No. 254, *a.*, a bill to amend section 12, of chapter 131, title 29, of the revised statutes.

With amendment.

And bills

No. 229, *a.*, a bill to amend section 26, of chapter 131, of the revised statutes.

No. 230, *a.*, a bill to amend part first, title 3, chapter 10, sec. 28, of the revised statutes, giving the county boards of supervisors power to vacate towns.

No. 235, *a.*, a bill to appropriate to Grant county the sum therein named.

No. 233, *a.*, a bill to appropriate to Volney French the sum therein named.

No. 234, *a.*, a bill to appropriate to Peter W. Matts the sum therein named.

No. 235, *a.*, a bill to alter the bouadnries of the town of Calumet, Fond du Lac county.

No. 236 *a.*, a bill to change the name of the town of Pike, in Kenosha county, to Somers.

No. 241, *a.*, a bill to provide for the superintendence of the State Library, for the purchase of books for the same, and for other purposes.

No. 244, *a.*, a bill providing for the service of process and papers in Courts of Record.

No. 255, *a.*, a bill to amend section 3 of chapter 98, part 3, title 22, of the revised statutes.

No. 257, *a.*, a bill to authorize the people of school district composed of parts of the towns of Porter and Union in the county of Rock, and part of the town of Dunkirk in the county of Dane, to build a school house on the public square in the village of Waucoma in the town of Porter.

No. 258, *a.*, a bill providing for the manner in which the fees of sheriffs shall be paid in certain cases.

No. 259, *a.*, a bill for the relief of the several counties in this state.

No. 260. *a.*, a bill to authorize the construction of a dam across the Manitowoc river.

No. 261, *a.*, a bill to authorize certain state roads therein named.

No. 262, *a.*, a bill to authorize certain state roads therein named.

No. 263, *a.*, a bill to establish a state road therein described.

No. 264, *a.*, a bill to amend section 28, of chapter 131, title 29, of the revised statutes.

No. 265, *a.*, a bill for legalizing certain roads in the town of Kossuth, in Columbia county.

No. 266, *a.*, a bill to change the name of the town of Plymouth.

No. 267, *a.*, a bill to amend chapter 102 of the revised statutes.

No. 268, *a.*, a bill to change the name of Catharine Krœger to that of Catharine Stovecken, and to make her the heir at law of Bernhard Stovecken, and Francisca Stovecken.

No. 271, *a.*, a bill to incorporate the Western Fire and Marine Insurance company of Grand Chute, Outagamie county.

No. 273, *a.*, a bill to incorporate the Rock River Insurance company.

No. 275, *a.*, a bill to incorporate the Strongville Seminary.

No. 279. *a.*, a bill to authorize the laying out of a state road therein named.

No. 280, *a.*, a bill for a state road from Waupacca Falls, in Winnebago county, to Kewaunee in Brown County.

No. 281, *a.*, a bill to appropriate to Thomas Reynolds the sum therein named.

No. 284, a bill to lay out and establish a state road therein named.

No. 285, *a.*, a bill to lay out and establish a state road therein described.

No. 287, *a.*, a bill to appropriate a certain sum of money to Charles Weed.

No. 289, *a.*, a bill to authorize contiguous school districts to associate together to establish and maintain academical schools.

And

No. 298, *a.*, a bill in relation to smelters.

Also, memorials :

No. 7, *a.*, a memorial to Congress in relation to a mail route.

No. 8, *a.*, a memorial to Congress asking for a mail route from the village of West Bend to the town of Wayne in the county of Washington.

And

No. 10, *a.*, a memorial to Congress asking a grant of land for the North Western Rail Road company.

Without amendment.

And also reported progress on the general file of bills,

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration .

Said bills nos. 233, 234, 236, 240, 241, 257, 259, 260, 261, 262. 263, 266, 237, 238, 275. 279, 280, 284, 285, 287, 289 and 298, (*a.*,) and said memorials nos. 7, 8, and 10, (*a.*,)

Were severally ordered to be engrossed and read a third time.

Pending the question on ordering the engrossment of said bill no. 229, *a.*, for a third reading,

Mr. J. B. Johnson moved that the enacting clause of said bill be stricken out ;

Which was agreed to.

Pending the question on ordering said bill no. 230, *a.*, to be engrossed and read a third time,

Mr. J. B. Johnson moved that said bill be referred to the Judiciary committee.

Which was disagreed to.

The question on ordering said bill to be engrossed for a third reading,

Was decided in the negative,

And said bill was laid on the table.

On motion of Mr. Barnett,

Said bill no. 225. *a.*, was laid on the table:

Pending the question on ordering said bill no. 241, *a.*, to be engrossed for a third reading,

Mr. Chase moved that said bill be laid on the table ;

Which was disagreed to.

And said bill was ordered to be engrossed and read a third time.

Pending the question on ordering said bill no. 244, *a.*, to be engrossed and read a third time,

Mr. J. B. Johnson moved that all after the enacting clause be stricken therefrom .

Which was agreed to,

And said bill was laid on the table.

The question on ordering said bill no. 255, *a.*, to be engrossed for a third reading,

Was decided in the negative,

And said bill was laid on the table.

The further consideration of said bills no. 258, 267, and 281, *a.*, was postponed for the present, under rule XXIII of the assembly.

On motion of Mr. J. B. Johnson,

The vote by which the assembly refused to order said bill no. 230, *a.*, to be engrossed for a third reading,

Was reconsidered,

And said bill was taken up for further consideration.

The question being on ordering said bill to be engrossed for a third reading,

The further consideration of the bill was postponed for the present, under rule XXIII of the assembly.

Pending the question on ordering said bill no. 264, *a.*, to be engrossed for a third reading,

Mr. Ladue moved that said bill be laid on the table,

Which was disagreed to.

On motion of Mr. Bjornsen,

The further consideration of said bill was postponed for the present, under rule XXIII of the assembly.

Pending the question on ordering said bill no. 273, *a.*, to be engrossed for a third reading,

Mr. Bird moved that said bill be referred to the judiciary committee,

Which was disagreed to,

And said bill was ordered to be engrossed and read a 3d time.

Pending the question on ordering the engrossment of said bill no. 271, *a.*,

On motion of Mr. Henning,

Said bill was referred to the judiciary committee.

Pending the question on concurring in the amendments of the committee to said bill no. 254, *a.*,

On motion of Mr. J. B. Johnson,

Said bill was laid on the table.

Messrs Everly and H. Johnson had leave of absence.

On motion of Mr. Ladue,

The assembly adjourned.

MONDAY, March 3, 9½ A. M.

Prayer by Rev. Mr. Lattin.

Pending the reading of the journal of Saturday last,

On motion of Mr. Dick,

The further reading thereof was dispensed with.

The speaker laid before the assembly communications, one from the clerk of the board of supervisors of Sauk county, and one from the clerk of Winnebago county, in relation to the formation of new towns since the taking of the last census,

Which were laid on the table.

Also,

A communication from the circuit clerk of Crawford county, in relation to the fines in criminal prosecutions.

Referred to committee on ways and means.

Mr. Waldo presented a petition of citizens of Marquette county for the prohibition of the sale of intoxicating drinks.

Laid on the table.

Sundry petitions and remonstrances were presented, in relation to the county seat of Washington county which were laid on the table.

Mr. Henning, from the committee on engrossments, reported, as correctly engrossed, bills

No. 128, *a.*, a bill to appropriate to J. Quintus the sum therein named,

No. 131, *a.*, a bill appropriating to James P. Whitney the sum therein named,

No. 138, *a.*, a bill for laying out a state road therein described,

No. 139, *a.*, a bill for laying out of a state road therein described.

No 141, *a.*, a bill granting to John Coumbs and Thos. Andrew the right to keep and maintain a ferry across the Wis-

consin river in the town of Richwood in the county of Richland,

No. 145, *a.*, a bill to provide for laying out and establishing several state roads therein named,

No. 275, *a* a bill to incorporate the Strongsville Seminary;

No. 279, *a.*, a bill to authorize the laying out of a state road therein named.

No. 280, *a.*, a bill for a state road from Waupacca Falls in Winnebago county to Kewaunee in Brown county.

No. 284, *a.*, a bill to lay out and establish a state road therein named,

No. 285, *a.*, a bill to lay out and establish a state road therein described.

And,

No. 287 *a.*, a bill to appropriate a certain sum of money to Charles Weed.

Mr. Rogan, from the committee on claims, reported bill

No. 356, *a.*, a bill to appropriate to A. P. Thompson the sum therein named ,

No. 357, *a.*, a bill to appropriate to Bird & Mills the sum therein named ;

And

No. 358, *a.*, a bill to appropriate to J. F. Wilson the sum therein named ,

Which were severally read the first and second time.

And also reported back bill,

No. 179, *a.*, a bill to appropriate to John C. Lewis treasurer of Dodge county. the sum therein named,

Without amendment,

Recommending its passage.

And

No. 292, *a.*, a bill to appropriate C. H. McLaughlin the sum therein named.

Asking to be discharged from the further consideration of said bill.

And that it be referred to the committee on legislative expenditures.

The bill was so referred.

Mr. Estabrook. from the judiciary committee, to whom the same was referred, reported back bills

No. 169, *a.*, a bill to amend an act entitled, "an act to provide for the construction of the Lisbon and Milwaukee plank road from Watertown to Madison," passed March 1st, 1848.

Without amendment.

And

No. 283, *a.*, a bill to extend the right of appeal to the circuit court in certain cases.

With an amendment.

And recommended the passage of said bills.

Also reported back bill

No. 294, *a.*, a bill relative to the payment of notes or other evidences of debt, where no place of payment is fixed in the note or other evidence of debt, and when the debtor or payee is unable to ascertain the person who is the owner of the note or other evidence of debt ;

Asking to be discharged from its further consideration.

And bill

No. 310, *a.*, a bill to incorporate the Wisconsin manufacturing company of Grand Chute.

Asking to be discharged from the further consideration of the same,

And recommending its reference to the committee on Incorporations.

The committee were discharged from the further consideration of said bills no. 294 and 310, *a.*,

And said bill no. 310, *a.*, was referred to the committee on incorporations.

No. 344, *a.*, a bill to pay D. T. Dickson the sum therein named,

Was reported back from same committee

With a recommendation that it do not pass.

Mr. Eastman, from same committee, also reported adverse-

ly to the prayer of petitions which had been referred to them, relating to an amendment of the constitution.

Mr. Chase moved that the public printer be instructed to print the bill reported by Mr. Malmros, for districting the state immediately.

Which was agreed to.

The messages from the senate were taken up.

The amendment of the senate to the resolution relative to an abstract and index of the reports of committees on claims of the territorial legislative assemblies and of the several state legislatures

Was not concurred in.

The amendment of the senate to bill

No. 195, *a.*, a bill to lay out a state road therein named

Was concurred in.

The first amendment of the senate to bill

No. 23, *a.*, a bill to amend chapter 19; of title 7, part 1, of the Revised Statutes

Was concurred in.

The second of said amendments was not concurred in.

The following bills, to wit :

No. 63, S., a bill to amend chapter 88, of the Revised Statutes, concerning the action of replevin before justices of the peace ;

No. 126, S., a bill relating to the duties of auctioneers .

No. 128, S., a bill to establish highways ;

No. 130, S., a bill to incorporate the Lake and Mississippi steam boat company ;

No. 151, S., a bill to amend chapter 117, of the Revised Statutes, relative to forcible entries and detainers :

No. 159, S., a bill concerning the writ of error .

No. 179, S., a bill to appropriate to William E. Cramer the sum therein named ;

No. 180, S., a bill to vacate a portion of the plot of the village of Fond du Lac ;

No. 182, S., a bill authorizing the Racine and Rock riv-

er plank road company to extend a branch of their road to Sugar Creek Prairie ;

No. 185, S., a bill to pay William Doughty the principal and interest due on five bonds issued by the territory of Wisconsin :

No. 188, S., a bill to authorize the erection of a free bridge across the Milwaukee river at Humboldt, in Milwaukee county ;

No. 190, S., a bill to vacate a part of the town plat of the village of Westfield, in Sauk county ;

No. 191, S., a bill to provide for laying out a state road from Fort Atkinson to Palmyra in Jefferson county ;

No. 193, S., a bill to authorize the laying out of a state road from Reedsburgh, in Sauk county, to Stevens' Point, in Portage county ;

No. 194, S., a bill appropriating to E. B. Quiner the sum therein named ;

No. 197, S., a bill to provide for laying out a state road from Franklin, in Iowa county, to intersect the state road at or near Round Prairie, in Bad Axe county ,

No. 198, S., a bill providing for the appointment of commissioners to review and survey a territorial road therein named :

No. 199, S., a bill to appropriate to John W. Hunt, the sum of money therein named ,

No. 205, S., a bill to appropriate to Rood & Whittemore the sum therein naned ;

And

No, 206, S., a bill to amend chapter 15 of the Revised Statutes, and to prescribe the manner in which delinquent tax lands bid off by the counties, shall be taxed ;

Were severally read the first and second time.

On motion of Mr. Ray,

All of the said senate bill containing appropriations of money

Were referred to the committee on claims.

The following bills, to wit:

No. 117, *a.*, a bill to authorize Henry J. Elliot and his associates to build and maintain a bridge across Fox river at Delhi, in the county of Winnebago;

No. 118, *a.*, a bill in relation to state roads;

No. 119, *a.*, a bill to incorporate the La Fayette county academy;

No. 122, *a.*, a bill to exempt certain persons from paying a poll tax;

No. 124, *a.*, a bill to authorise the construction of a dam across the Pickatonica river in La Fayette county;

No. 127, *a.*, a bill for the relief of the town of Pleasant Spring in the county of Dane;

And said bills no. 138, 139, 141, 145, 275, 279, 284, and 285, *a.*,

Were severally read the third time, passed,

And the titles agreed to.

No. 115, *a.*, a bill to appropriate Alex. Mitchell a certain sum of money therein named

Was read a third time.

And the question on its passage

Was decided in the affirmative.

And the ayes and noes being required,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy-Olmstead, Price, Ray, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing, and Horn, (speaker)—62.

None voted in the negative.

The title of said bill was agreed to.

No. 116, *a.*, a bill to appropriate to Alexander Mitchell the sum of money therein named,

Was read a third time.

And the question on its passage

Was decided in the affirmative.

And the ayes and noes being required,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, Fuller Gifford, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Price, Ray, Rogan, Seaver, Smith, Snover, Spooner, Stock. Tinker, Tohl, Tompkins, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing and Horn(speaker)—59.

None voted in the negative.

Ths title of the bill was agreed to,

Said bill no. 128, *a.*,

Was read a third time.

And the question on its passage

Was decided in the affirmative.

And the ayes and noes being required,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Osborne, Price, Ray, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—61.

None voted in the negative.

The title of the bill was agreed to.

Said bill no. 13, *a.*,

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

And the ayes and noves being required,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Easton, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Price, Ray, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—59.

None voted in the negative.

The title of the bill was agreed to.

Said bill no. 287, *a.*,

Was read a third time.

And the question on its passage

Was decided in the affirmative.

And the ayes and noes being required,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, Jones, Julius, Kinney, Lessey, Lowth, Malmros, Moore, Moorman, Muzzy, Olmstead, Osborne, Price, Ray, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing, and Horn (speaker)—59.

Mr. J. B. Johnson, voted in the negative—1.

The title of the bill was agreed to.

Said bill no. 280, *a.*, was read a third time.

And the question on its passage

Was decided in the affirmative.

And the title was amended by striking therefrom the word "in Winnebago county."

Bills reported by a committee of the whole being under consideration,

The following bills, to wit:

No. 184, *a.*, a bill to provide for the laying out of a state road therein named,

No. 207, *a.*, a bill to incorporate the Richland city bridge company, in Richland county;

No. 230, *a.*, a bill to amend part 1st, title 3, chap. 10, sec. 28, of the Revised Statutes, giving the county boards of supervisors power to vacate towns;

No. 247, *a.*, a bill to establish a state journal of education;

No. 250, *a.*, a bill for laying out a state road in the counties of Jefferson and Waukesha;

No. 256, *a.*, a bill to authorize the citizens of the village of Waucoma, to build a meeting house on the public square of said village;

No. 258, *a.*, a bill to authorize the people of school district composed of parts of the towns of Potosi and Union in the county of Rock, and part of the town of Dunkirk in the county of Dane, to build a school house on the public square in the village of Waucoma in the town of Porter; and

No. 264, *a.*, a bill to amend sec. 28, of chapter 131, title 29 of the Revised Statutes;

Were severally ordered to be engrossed for a third reading.

On motion of Mr. Spooner,

No. 281, *a.*, a bill to appropriate to Thos. Reynolds the sum therein named,

Was laid on the table.

Mr. Bradley, from the select committee, to whom the same was referred, reported back bill

No. 103, *a.*, a bill to provide for the survey and sale of certain lands in the town of Winnebago;

With a substitute therefor,

And recommended the passage of said substitute.

Mr. Price moved that the further consideration of said bill be indefinitely postponed.

Those who voted in the affirmative were,

Messrs. Barnett, Bjornsen, Clothier, Cole, Cone, Dick, Easton, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Moore, Muzzy, Olmstead, Osborne, Price, Ray, Rogan, Seaver, Snover, Spooner, Tinker, Tohl, Utley, Van Vliet, Vincent, Whitton, Wing and Horn (speaker)—37.

Those who voted in the negative were,

Messrs. Biddlecome, Bird, Bradley, Briggs, Cavney, Chase, Eastman, Estabrook, Gifford, Julius, Ladue, Lowth, Malmros, Moorman, Smith, Stock, Tompkins, Waldo, Walker, Wilson—19.

On motion of Mr. Ray,

The assembly adjourned until half past 2 o'clock P. M.

½ PAST 2 O'CLOCK P. M.

A message from the Governor, by George P. Delaplaine, Esq., private secretary :

EXECUTIVE DEPARTMENT,
Madison, March 3, 1851.

To the Assembly :—

Acts entitled as follows :

An act to authorize Alvin B. Carpenter to construct and maintain a dam across Sugarriver ;

An act to declare certain roads in the town of Watertown to be lawful highways ;

An act to amend an act entitled, an act to incorporate the city of Racine in the county of Racine ;

An act to authorize Merrick Murphy and his associates to build a dam across the Oconto river ;

Were, on the 28th ultimo, approved and signed by me, and deposited in the office of the secretary of state.

An act entitled, "an act to divide the county of Crawford and organize the counties of Bad Axe and La Crosse ,

An act to amend an act entitled, an act to divide the county of Crawford and organize the counties of Bad Axe and La Crosse ;

An act authorizing the sale of the unsold odd numbered sections of the Milwaukee and Rock river canal grant, for the use of schools ;

An act to appropriate to Ira B. Brunson the sum therein named ;

An act to appropriate to H. Van Dusen the sum therein named ;

An act to incorporate the Female Normal Institute and high school at Milwaukee ;

An act to extend an act entitled an act to provide for the continuation of the Lisbon and Milwaukee plank road to Watertown and Madison ;

And

Memorial to congress for a grant of land to aid in the improvement of the Wisconsin river from Fort Winnebago to Beaulieux rapids ;

Were approved and signed by me on the 1st instant, and deposited as aforesaid.

(Signed) NELSON DEWEY.

A message from the senate, by William Hull, Esq., their chief clerk :

Mr. Speaker :—

I am directed to inform you that senate has passed bills

No. 181, S., a bill to incorporate the Fox river Manufacturing company ;

No. 201, S., a bill to incorporate the Columbia and Sauk county bridge company;

No. 202, S., a bill appropriating to Morritz Shoeffler the sum therein named;

No. 203, S., a bill appropriating to F. F. Davis, sheriff of Fond du Lac county, the sum of money therein named.

No. 204, S., a bill to appropriate to Jackson Richardson or his legal representatives the sum therein named.

No. 210, S., a bill to provide for laying out a state road from Prairie du Lac in Sauk county to Prairie du Chien in Crawford county.

No. 212, S., a bill to prohibit the appointment of County agents and for other purposes.

No. 213, S., a bill to amend an act entitled "an act to incorporate the Southport and Beloit road company," approved March 6th, 1848.

No. 214, S., a bill to change the name of the village of Norris in Sauk connty.

No. 238, S.. a bill to appropriate D. Holt, Jr. the sum therein named.

And

No. 238, S., a bill to appropriate E. D. Masters the sum of money therein named.

In which the concurrence of the Assembly is requested,

And have concurred in the passage of bill

No. 171, *a.*, a bill to provide for the appraisal and sale of the University lands and for granting pre-emption thereon,

With amendments,

In which I am further directed to request the concurrence of the assembly.

On motion of Mr. Ladue,

The assembly resolved itself into committee of the whole, for the consideration of the file of bills in which progress had been reported by a former committee.

Mr. H. Johnson in the chair.

And after some time spent therein,

The committee rose and by their chairman, reported bills

No. 117, *a.*, a bill to amend chapter 12 of title 4 of the revised statutes.

No. 157, *a.*, a bill to amend an act concerning the fees of certain officers and other persons.

And

No. 277, *a.*, a bill to permanently locate the county seat of Columbia county.

Without amendment.

And bills

No. 134, *a.*, a bill to lay out and open a state road from Depere in Brown county to Willow river in St. Croix county.

And

No. 162, *a.*, a bill to provide for the election of county treasurers.

With amendment.

And also reported progress on the said file of bills,

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

The amendment [a substitute] of the committee to said bill no. 162, *a.*,

Was concurred in.

And said bill was ordered to be engrossed for a third reading.

Said bills no. 157 and 277, *a.*,

Were severally ordered to be engrossed for a third reading.

The amendments of the committee to said bill no. 134, *a.*, Were concurred in.

And the question being on ordering its engrossment, for a third reading,

Mr. J. B. Johnson moved to amend, by striking out the 3d and 4th sections of said bill;

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barnett, Bird, Chase, Clothier, Cone, Estabrook, Fuller, Hulburt, H. Johnson, J. B. Johnson, Ray, Rogan, Spooner, Stock, Tinker and Wing—16.

Those who voted in the negative, were

Messrs. Biddlecome, Bjornsen, Boyce, Bradley, Cavney, Cole, Dick, Doran, Eastman, Easton, Everly, French, Gifford, Groot, Hale, Heminway, Henning, Jenkins, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Muzzy, Olmstead, Osborne, Price, Seaver, Smith, Snover, Tohl, Tompkins, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson and Horn, (speaker)—43.

Mr. Estabrook moved to amend the bill, in the first section, by inserting the word "rail" before the word "road," and the word "hundred" between the words "two" and "thousand;"

Which was disagreed to.

The question recurring on ordering said bill to be engrossed for a third reading,

It was put,

And decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Biddlecome, Bjornsen, Boyce, Bradley, Cavney, Dick, Doran, Eastman, Easton, Everly, French, Gifford, Groot, Hale, H. Johnson, Jones, Julius, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Muzzy, Olmstead, Price, Seaver, Smith, Snover, Tohl, Tompkins, Vincent, Waldo, Whitton, Wilson and Horn (speaker)—38.

Those who voted in the negative, were

Messrs. Barnett, Bird, Chase, Clothier, Cone, Estabrook, Fuller, Heminway, Hulburt, J. B. Johnson, Kinney, Murphy, Osborne, Ray, Rogan, Spooner, Stock, Tinker, Van Vliet Walker and Wing—21.

Pending the question on ordering said bill no. 17, *a.*, to be engrossed for a third reading,

Mr. Biddlecome moved that all after the enacting clause of said bill be stricken out;

Which was agreed to.

Mr. Tinker moved to amend by the following sections after the enacting clause:

Sec. 1. The towns of Burlington and Rochester, in the county of Racine, shall each be entitled to an additional representation of one member in the board of supervisors of said county.

Sec. 2. This act shall take effect from and after its passage.

Which amendment was agreed to.

The question then recurring on ordering said bill to be engrossed and read a third time,

It was decided in the negative,

And said bill was laid on the table.

Mr. Briggs moved that the assembly adjourn.

Which was disagreed to.

And the ayes and noes having first been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Boyce, Briggs, Cavney, Doran, Eastman, French, Gifford, Julius, Ladue, Lessey, Lowth, Moorman, Olmstead, Price, Stock and Whitton—17.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Biddlecome, Bjornsen, Bradley, Chase, Clothier, Cole, Cone, Dick, Easton, Estabrook, Everly, Fuller, Groot, Hale, Heminway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Kinney, Malmros, Moore, Murphy, Muzzy, Osborne, Ray, Rogan, Seaver, Smith, Snover, Spooner, Tinker, Tohl, Tompkins, Van Vliet, Vincent, Waldo, Walker, Wilson, Wing and Horn (speaker) —47.

On motion of Mr. Chase,

The assembly resolved itself into committee of the whole, for the consideration of bill

No. 1, S., a bill to limit the rate of interest.

Mr. Jones in the chair.

And after some time spent therein,

The committee rose and by their chairman, reported said bill,

The report of the committee of the whole being under consideration,

Pending the question on ordering said bill to be read a third time;

On motion of Mr. Jenkins,

Said bill was laid on the table.

Mr. Bird moved that bill

No. 168, *a.*, a bill in relation to the improvement of the capitol;

Be taken from the table,

And returned to the general file,

Which was agreed to.

Mr. Bannister moved that bill

No. 214, *a.*, a bill to pay to Wm. H. Howard the sum therein named;

Be taken from the table,

And referred to a select committee.

Which was agreed to.

Messrs. Bannister, Snover and Henning were appointed such committee.

Mr. Malmros, on leave granted, introduced bill

No. 359, *a.*, a bill to authorize the Register of Deeds of Manitowoc county to obtain from the office of the Register of Deeds of Brown county, certain instruments therein named;

Which was read the first and second time.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bills

No. 148, *a.*, a bill relating to the sale of mortgaged premises;

No. 150, *a.*, a bill for the relief of Sheboygan county,

No. 152, *a.*, a bill to lay out and establish a certain road therein named,

No. 153, *a.*, a bill to authorize the laying out of a state road therein named;

No. 154, *a.*, a bill to authorize the laying out of a state road therein named,

No. 163, *a.*, a bill to attach a certain territory therein named to the town of Bloomingdale,

No. 164, *a.*, a bill to amend sec. 1 of chapter 43 of the Revised Statutes.

No. 165, *a.*, a bill to amend sec. 16, chapter 134, title 30, part 4, of the revised statutes,

No. 175, *a.*, a bill for laying out a state road in the counties of Marquette and Winnebago,

No. 177, *a.*, a bill to establish a certain road therein named,

No. 180, *a.*, a bill to authorize Henry Thiel and his associates to build a dam across the Milwaukee river.

No. 181, *a.*, a bill to authorize the draining or lowering of North Lake in the town of Merton, county of Waukesha,

No. 183, *a.*, a bill to authorize the construction of a dam across the outlet of Long Pond in Fond du Lac county,

No. 185, *a.*, a bill to authorize the Treasurer of school district no. 5. in the town of Richfield in the county of Washington to collect the delinquent tax therein,

And,

No. 194, *a.*, a bill for the relief of the town of Alto.

On motion of Mr. Wilson,

The assembly resolved itself into committee of the whole, for the consideration of bill,

No. 114, S., a bill to authorize the erection of a free bridge across the Milwaukee river,

Mr. Walker in the chair,

And after some time spent therein,

The committee rose and by their chairman, reported said bill

With amendments,

The report of the committee of the whole being under consideration.

The amendments of the committee to said bill,

Were concurred in,

And said bill was ordered to be read a third time.

On motion of Mr. Wilson,

Said bill was read a third time.

The question on its passage,

Was then put,

And decided in the affirmative,

On motion of Mr. Ladue,

The assembly resolved itself into committee of the whole, for the consideration of bill

No 146. S., a bill to amend an act entitled "an act to incorporate the Sheboygan and Fond du Lac road company," approved March 11, 1848.

Mr. Bannister in the chair,

And after some time spent therein,

The committee rose and, by their chairman reported said bill

Without amendment,

The report of the committee of the whole being under consideration.

Said bill was ordered to be read a third time.

The rules were suspended, and said bill

Was read a third time, passed,

And the title agreed to.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole, for the consideration of the file of Senate bills.

Mr. Spooner in the chair,

And after some time spent therein,

The committee rose and by their chairman reported bill

No. 21, S. a bill to amend sec. 2, of chapter 108 of the Revised Statutes,

Without amendment,

And bills

No. 66, S., a bill to amend chap. 65, sec. 17. of the revised statutes, providing for the sale of lands by administrators, guardians and executors,

No. 69, S., a bill to incorporate the Fox and Wisconsin river plank road company,

And

No. 164, S., a bill to provide for holding the terms of the circuit court in the counties therein named,

With amendment,

And also reported progress on the said file of bills,

And asked leave to sit again.

The report of the committee of the whole being under consideration,

Said bill no. 21 was ordered to be read a third time.

The amendments of the committee to said bills no. 66 and 69, and 164 S.,

Were severally concurred in,

Said bills no. 66 and 69 S., were severally ordered to be read a third time.

On motion of Mr. Estabrook,

Said bill no. 164 S., was laid on the table.

Mr. Estabrook moved that the rules be suspended and that bill

No. 348, *a.*, a bill to repeal an act authorizing J. D. Doty, Curtis Reed and Harrison Reed and their associates to construct a bridge across the south branch of Lake Winnebago approved Feb. 5, 1850,

Be taken up,

Which was agreed to.

And the question being on ordering said bill to be engrossed for a third reading,

It was decided in the affirmative.

On motion of Mr. Cone,

Said bill no. 164, S., was taken from the table.

And referred to the committee on judiciary.

Mr. Ladue moved that the assembly adjourn,

Which was disagreed to.

On motion of Mr. Spooner,

The assembly adjourned until half past seven o'clock p. m.

HALF PAST SEVEN O'CLOCK, P. M.

The special order for this evening,

No. 193, *a.*, a bill to pay C. Latham Sholes the sum therein named,

Was taken up,

And the assembly resolved itself into committee of the whole for the consideration of said bill,

Mr. Olmstead in the chair,

And after some time spent therein

The committee rose and by their chairman reported said bill

Without amendment.

The report of the committee of the whole being under consideration,

And the question being on ordering the said bill to be engrossed for a third reading,

It was decided in the negative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative, were

Messrs Barnett, Easton, Estabrook, Everly, Hale, Jenkins, H. Johnson, Julius, Moorman, Murphy. Price, Tinker, Utley, Van Vliet, Walker Wilson and Horn (Speaker)—18.

Those who voted in the negative, were

Messrs Biddlecome, Bird, Bjornsen, Bradley, Briggs, Cavney, Chase, Cole, Cone, Dick, Doran, French, Gifford Groot, Hemenway, Henning, Hulburt, J. B. Johnson, Jones, Kinney, Ladue, Malmros, Moore, Muzzy, Olmstead, Perkins, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Stock, Tompkins, Tregaskis, Vincent, Waldo, Whitton, Wing—39.

Mr. Biddlecome moved that the vote by which the assembly refused to order said bill no. 193, *a.*, to be engrossed for a third reading,

Be reconsidered,

Which was agreed to.

And the question being on ordering the engrossment of said bill,

Mr. Tompkins moved to amend said bill by inserting after the word "for" the words "fourteen hundred copies of the revised statutes of this state, when delivered to the governo of the State."

Which was disagreed to.

Mr. Estabrook moved that said bill be referred to a select committee of three,

Which was disagreed to,

The question on ordering the engrossment of said bill,

Was then put,

And decided in the negative,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Barnett, Biddlecome, Eastman, Easton, Estabrook, Hale, Jenkins, H. Johnson, Julius, Lowth, Moorman, Murphy, Muzzy, Osborne. Tinker, Utley, Van Vliet, Walker, Wilson and Horn (Speaker)—20

Those who voted in the negative, were

Messrs Bannister, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Cole, Cone, Dick, Doran, Everly, French, Fuller, Gifford, Groot, Hemenway, Hulburt, J. B. Johnson, Jones, Kinney, Ladue, Moore, Olmstead, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Smith Snover, Stock, Tompkins, Tregaskis, Vincent, Waldo, Whitton, Wing—40.

Said bill was laid on the table.

On motion of Mr. Olmstead,

The assembly adjourned.

TUESDAY, March 4th, 9 A. M.

Prayer by Rev. Mr. Estchman.

Pending the reading of the journal,

The further reading thereof was dispensed with.

The speaker laid before the assembly a communication from the circuit clerk of Calumet county;

Referred to committee on ways and means.

Mr. Henning, from committee on engrossments, reported as correctly engrossed bills

No. 111, *a.*, a bill for the prevention and punishment of immorality and disorderly practices;

No. 151, *a.*, a bill to change the time for making assessments and collection of taxes in the county of Portage;

No. 176, *a.*, a bill to authorize the construction of a bridge across Wolf river;

No. 178, *a.*, a bill to provide for proving pre-emption rights and to amend sec. 40, of chapter 24, of the Revised Statutes;

No. 182, *a.*, a bill to establish an agricultural department in the University of Wisconsin,

No. 191, *a.*, a bill for the relief of the town of Green Bay;

No. 199, *a.*, a bill to provide for the apportionment of school monies by town superintendents in towns bordering on the south line of the state;

No. 206, *a.*, a bill to amend sec. 8, of chap. 5, of the Revised Statutes ;

No. 209, *a.*, a bill to authorize a tax to build a school house ;

No. 211, *a.*, a bill to confer certain powers upon organized school districts, and for other purposes ;

No. 212, *a.*, a bill to establish the Cascade academy ;

No. 222, *a.*, a bill to authorize Ebenezer Dakin to build a dam across White river ;

No. 232, *a.*, a bill to appropriate to Grant county the sum therein named ;

No. 233, *a.*, a bill to appropriate to Volney French the sum therein named ;

No. 234, *a.*, a bill to appropriate Peter W. Matts the sum therein named ;

No. 236, *a.*, a bill to change the name of the town of Pike, Kenosha county, to Somers ;

No. 240, *a.*, a bill for laying out a state road in the county of Marquette ;

No. 241, *a.*, a bill to provide for the superintendence of the state library, for the purchase of books for the same, and for other purposes ;

No. 246, *a.*, a bill to authorize the laying out of a state road therein named ;

No. 247, *a.*, a bill to establish a state journal of education ;

No. 248, *a.*, a bill to amend an act entitled "an act to incorporate the Port Washington, Horicon, and Beaver Dam turnpike company," approved March 11th, 1848 ;

No. 249, *a.*, a bill to authorize the village of Sheboygan to borrow money ;

No. 253, *a.*, a bill to vacate a part of a street in the village of Omro .

No. 258, *a.*, a bill to authorize the people of school district composed of parts of the towns of Porter and Union in

the county of Rock, and part of the town of Dunkirk in the county of Dane, to build a school house on the public square in the village of Waucoma in the town of Porter ; and

No. 259, *a.*, a bill for the relief of the several counties in this state ;

No. 260, *a.*, a bill to authorize the construction of a dam across the Manitowoc river ;

No. 261, *a.*, a bill to authorize certain state roads therein named ,

No. 262, *a.*, a bill to authorize certain state roads therein named ;

No. 263, *a.*, a bill to establish a state road therein described ;

No. 263, *a.*, a bill to change the name of the town of Plymouth ;

No. 267, *a.*, a bill to amend chapter 102, of the Revised Statutes ;

No. 268, *a.*, a bill to change the name of Catharine Kroeger to that of Catharine Stovecken, and to make her the heir at law of Bernhart Stovecken and Francisca Stovecken ;

No. 273, *a.*, a bill to incorporate the Rock river Insurance company ;

No. 289, *a.*, a bill to authorize contiguous school districts to associate together to establish and maintain academical schools ;

No. 298, *a.*, a bill in relation to smelters ;

And

No. 348, *a.*, a bill to repeal an act authorizing J. D. Doty, Curtiss Reed and Harrison Reed, and their associates to construct a bridge across the south branch of Lake Winnebago, approved Feb. 5, 1850 ;

Also memorials

No. 7, *a.*, a memorial to Congress in relation to mail route ;

No. 8, *a.*, a memorial to congress asking for a mail route from the village of West Bend to the town of Wayne in the county of Washington ; And

No. 10, *a.*, a memorial to congress asking a grant of land for the North Western rail road company ;

Mr. Bjornsen had leave to withdraw the account of R. L. Ream vs. the state.

And said account was referred to a select committee of five, to wit: Messrs. Bjornsen, H. Johnson, Lowth, Ladue, and Malmros.

Mr. Bird had leave to withdraw the account of J. H. Lewis vs. the state.

And said account was referred to the committee on claims.

Mr. Tohl from the committee on roads and bridges, to whom the same were referred, reported back bills

No. 338, *a.*, a bill in relation to bridges across navigable streams :

No. 339, *a.*, a bill to authorize the town authorities of Fort Winnebago to construct a free bridge across the Wisconsin river ;

No. 345, *a.*, a bill to authorize the construction of a bridge across Wolf river, at Mukwa, in the county of Waupacca ;

Mr. Briggs, from the select committee, to whom the same was referred, reported back bill

No. 50, S., a bill to change the system of county government,

Without amendment,

Recommending its passage.

Mr. Bradley had leave to withdraw the account of R. L. Ream vs. the state.

And said account was referred to the select committee appointed this morning on another account of said Ream.

Mr. Estabrook from the judiciary committee to whom the same was referred, reported back bill

No. 164; S., a bill to provide for holding the terms of the circuit court, in the counties therein named ;

With an amendment.

And recommended its passage.

Mr. Rodolf, from the committee on town and county organization, to whom the same were referred, reported back bills

No. 270, *a.*, a bill to amend chapter 16, title, 6, of the Revised Statutes;

No. 291, *a.*, a bill to authorize the collection and return of taxes in the town of Willow Springs, La Fayette county.

And

No. 337, *a.*, a bill for the relief of the treasurer of the town of Kendall, in the county of La Fayette, for the year 1850.

Without amendment.

Recommending their passage.

The messages from the senate were taken up.

The following bills. to wit:

No. 181, S., a bill to incorporate the Fox river Manufacturing company;

No. 201, S., a bill to incorporate the Columbia and Sauk county bridge company,

No. 202, S., a bill appropriating to Moritz Shoeffler the sum therein named,

No. 203, S., a bill appropriating to F. F. Davis, Sheriff or Fond du Lac county, the sum therein named.

No. 204, S., a bill to appropriate Jackson Richardson or his legal representatives the sum therein named,

No. 210, S., a bill to provide for laying out a state road from Prairie du Sac in Sauk county to Prairie du Chien in Crawford county,

No. 212, S., a bill to prohibit the appointment of county agents, and for other purposes,

No. 213, S., a bill to amend an act entitled "an act entitled "an act, to incorporate the Southport and Beloit Road company,

No. 214, S., a bill to change the name of the village of Norris in Sauk county,

No. 238, S., a bill to appropriate D. Holt, Jr., the sum the sum therein named,

And,

No. 239, S., a bill to appropriate to E. D. Masters the sum of money therein named,

Were severally read the first and 2d time,

The amendments of the Senate to bill

No. 171, *a.*, a bill to provide for the appraisement and sale of University Lands, and for granting pre-emptions thereon,

Were concurred in,

The following bills, to wit:

No. 21, S., a bill to amend section two of chapter one hundred and eight of the revised statutes.

No 66, S., a bill to amend chapter 65, section 17 of the revised statutes providing for the sale of lands by administrators, executors and guardians,

No. 69, S., a bill to incorporate the Fox and Wisconsin river plank road company,

And said bills no. 151, 176, 177, 178, 180, 181, 183, 191, 194, 199. 206, 209, 212, 222, 236, 240, 246, 248, 249. 253, 257, 260, 261, 262, 263, 266, 267, 268, 273, 289, 298 and 318, *a.*,

And said memorials no. 7 and 8, *a.*,

Were severally read a third time passed

And the titles agreed to.

Said bill no. 111, *a.*, was read a third time,

And the question on its passage,

Was decided in the affirmative,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Cavney, Clothier, Cole, Cone, Doran, Eastman, Easton, Everly, French, Fuller, Hale, Hemenway, Heining, Hulburt, H. Johnson, Jones, Julius, Kinney Ladue, Lowth, Moore, Moorman, Muzzy, Osborne, Perkins, Price, Ray, Seaver, Smith, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Van Vliet, Vincent, Waldo, Wing,—46.

Those who voted in the negative, were

Messrs Bird, Chase, Dick, Estabrook, Gifford, Groot, Lessey, Malmros, Murphy, Olmstead, Rodolf, Rogan, Snover, Utley, Wilson, Horn (Speaker(—16.

No. 150, *a.*, a bill for the relief of Sheboygan co.

Was read a third time.

And the question on its passage

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hemenway, Henning, Hulburt, H. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Olmstead Osborne, Perkins, Price, Rodolf, Rogan, Seaver, Smith, Snover, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Walker, Whitton, Wilson, Wing and Horn (speaker)—58.

Those who voted in the negative, were

Messrs Estabrook, Hale, Muzzy, Ray, Vincent—5.

Said bill no. 182, *a.*, was read a third time

And the question on its passage

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Chase, Easton, Estabrook, Everly, Groot, Hale, Henning, Hulburt, H. Johnson, Kinney, Moore, Murphy, Muzzy, Olmstead, Osborne, Price, Rogan, Seaver, Smith, Snover, Tinker, Tohl, Tompkins, Utley, Vincent, Whitton, Wilson, Wing and Horn (speaker)—33.

Those who voted in the negative, were

Messrs Biddlecome, Briggs, Cavney, Clothier, Cole, Cone, Dick, Doran, Eastman, French, Fuller, Hemenway, J. B. Johnson, Jones, Julius, Ladue, Lessey Malmros, Perkins, Ray, Rodolf, Stock, Tregaskis, Van Vliet, Walker,—25.

Said bill no 232, *a.*, was read a third time;
And the question on the passage thereof
Was decided in the affirmative.
Those who voted in the affirmative were,
Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen Boyce, Bradley, Briggs, Chase, Clothier, Cole, Cone, Doran, Eastman, Easton, Everly, Fuller, Groot, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tohl, Tompkins, Tregaskis, Utley, Vincent, Walker, Whitton, Wilson, Wing, and Horn, (speaker)—62.
Those who voted in the negative, were
Messrs Cavney and Hale,—2,
The title of the bill was agreed to.
Said bill no. 233, *a.*, was read a third time,
And the question on its passage,
Was decided in the affirmative.
Those who voted in the affirmative, were
Messrs Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Rodolf, Rogan, Seaver, Smith, Snover, Stock, Tompkins, Tregaskis, Utley, Vincent, Whitton, Wing and Horn (speaker) —54.
Those who voted in the negative, were
Messrs Ray, Spooner, Tohl,—3.
The title of the bill was agreed to.
Said bill no. 234, *a.*, was read a third time,
And the question on its passage,
Was decided in the affirmative,
And the ayes and noes being required,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Heminway, Henning, Hulburt H. Johnson, J. B. Johnson, Julius, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Ray, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tohl, Tompkins, Tregaskis Utley, Van Vliet, Vincent, Walker, Whitton, Wing and Horn (speaker)—59.

Those who voted in the negative, were

Messrs. Hale, Kinney, Rodolf,—3.

The title of the bill was agreed to.

Said bill no. 247, *a.*, was read a third time,

And the question on its passage,

Was decided in the affirmative,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Dick, Doran, Eastman, Everly, Fuller, Groot, Hale, Hulburt, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Price, Seaver, Tinker Tompkins, Tregaskis, Utley, Whitton, Wilson, Wing and Horn, (speaker)—35.

Those who voted in the negative, were

Messrs. Barnett, Chase, Clothier, Cole, Cone, Easton, French, Gifford, Heminway, Henning, H. Johnson, Moore, Murphy, Muzzy, Olmstead, Perkins, Ray, Rogan, Smith, Snover, Spooner, Stock, Tohl, Van Vliet, Vincent, Waldo, Walker,—28.

The title of the bill was agreed to.

Said bill no. 159, *a.*, was read a third time,

And the question on its passage,

Was decided in the affirmative,

And the ayes and noes being required,

Those who voted in the affirmative, were,

Messrs Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Chase, Cole, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Whitton, Wing and Horn (speaker)—54.

Those who voted in the negative, were

Messrs Clothier, Cone and Hale—3.

The title of the bill was agreed to.

The following bills, to wit:

No. 148, *a.*, a bill relating to the sale of mortgaged premises.

No. 152, *a.*, a bill to lay out and establish a certain road therein named,

No. 153, *a.*, a bill to authorize the laying out of a state road therein named,

No. 154, *a.*, a bill to authorize the laying out of a state road therein named.

And,

No. 163, *a.*, a bill to attach a certain territory therein named to the town of Bloomingdale,

No. 175, *a.*, a bill for laying out a state road in the counties of Marquette and Winnebago,

And,

No. 185, *a.*, a bill to authorize the treasurer of school district no. 5, in the town of Richfield in the county of Washington,

Were severally read a third time and passed,

And the titles agreed to.

No. 164, *a.*, a bill to amend sec. 1, of chap. 43, of the revised statutes,

Was read a third time,

And the question being on its passage,

On motion of Mr. Cole,

Said bill was laid on the table.

No. 165, *a.*, a bill to amend sec. 16, chapter, 134, title 30, part 4, of the revised statutes,

Was read a 3d time,

And the question, being on its passage,

Mr. Fuller moved that said bill be laid on the table,

Which was disagreed to.

And the question recurring on its passage,

It was decided in the affirmative,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bjornsen, Boyce, Bradley, Clothier, Cole, Cone, Dick, Easton, French, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, Jones, Julius, Kinney, Lowth, Malmros, Moorman, Muzzy, Olmstead, Osborne, Perkins, Seaver, Snover, Stock, Tohl, Tompkins, Tregaskis, Van Vliet, Vincent, Whitton, Wilson, Wing and Horn (speaker)—40.

Those who voted in the negative, were

Messrs Biddlecome, Bird, Briggs, Chase, Doran, Eastman, Estabrook, Everly, Fuller, Ladue, Lessey, Moore, Murphy, Price, Ray, Rodolf, Rogan, Smith, Spooner, Tinker, Utley, and Walker—22.

The title of the bill was agreed to.

No. 211, *a.*, a bill to confer certain powers, upon organized school districts and for other purposes,

Was read a third time,

And pending the question on its passage,

Mr. Fuller moved that said bill be laid on the table,

Which was disagreed to.

The question on its passage was decided in the affirmative.

And the title of the bill was agreed to.

Said bill no. 241, *a.*, was read a third time,

And pending the question on its passage,

Mr. Boyce moved that said bill be laid on the table.

Which was disagreed to.

Mr. Walker moved that it be referred to a select committee of three,

Which was agreed to,

And Messrs Walker, Doran, and Biddlecome were appointed such committee.

Said memorial no. 10, *a.*, was read a 3d time,

And pending the question on its passage,

On motion of Mr. Walker,

Said memorial was laid on the table.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled, bills

No. 195, *a.*, a bill to lay out a state road from Grand Rapids in Portage county to Prairie La Crosse.

No. 312, *a.*, a bill to lay out a state road in the counties of Jefferson and Waukesha,

No. 56, S., a bill to incorporate the Watertown plank road company;

No. 109, S., a bill to incorporate the Milwaukee and Green Bay plank road company,

No. 114, S., a bill to authorize the construction of a free bridge across the Milwaukee river,

No. 146, S., a bill to amend an act entitled "an act to incorporate the Sheboygan and Fond du Lac road campany," approved March 11th 1848,

And also reported that the committee had presented to the Governor, for his approval, acts of the following titles,

An act authorizing the sale of the unsold odd numbered sections of the Milwaukee and Rock river canal grant for the use of schools;

An act to appropriate to H. Van Dusen the sum therein named.

An act to provide for the submission of the question of bank or no bank, to the people,

An act to amend an act entitled "an act to divide the coun-

ty of Crawford and organize the counties of Bad Ax and La Crosse.

An act to appropriate to Ira B. Brunson the sum therein named,

An act to incorporate the Female Normal Institute and High School at Milwaukee,

An act to amend an act entitled "an act to provide for the continuation of the Lisbon and Milwaukee plank road to Watertown and Madison.

An act to provide for laying out a state road in the county of Brown.

An act to appropriate to Edward H. Rudd the sum therein named,

An act supplementary to "an act to authorize the assessment and collection of taxes in the city of Milwaukee," approved Jan. 24th 1851,

And

A memorial to Congress for a grant of land to aid in the improvement of the Wisconsin river from Fort Winnebago to Beaulieux Rapids.

Said enrolled bills were severally signed by the speaker of the assembly.

And thereupon were transmitted to the senate.

No. 164, S., a bill to provide for holding the terms of the circuit courts in the counties therein named,

Was taken up.

And the amendments made to said bill by the judiciary committee,

Were concurred in.

Said bill was then ordered to be read a third time.

No. 168, *a.*, a bill in relation to the improvement of the capitol,

Was taken up.

And the question pending being on ordering said bill to be engrossed for a third reading.

Mr. J. B. Johnson moved that the enacting clause of the bill be stricken out.

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barnett, Biddlecome, Chase, Clothier, Cole, Cone, Dick, Eastman, Easton, French, Fuller, Groot, Hale, Hemenway, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Malmros, Murphy, Muzzy, Perkins, Ray, Rodolf, Rogan, Seaver, Smith, Stock, Tinker, Tohl, Tregaskis, Van Vliet, Vincent, Whitton, and Wing—37.

Those who voted in the negative, were

Messrs. Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Doran, Gifford, Hulburt, Jones, Lowth, Moore, Moorman, Olmstead, Price, Spooner, Tompkins, Utley, Waldo, Walker, Wilson and Horn (speaker)—22.

No. 4, S., a bill authorizing the construction of wharves in the city of Milwaukee

Was ordered to be read a third time.

Mr. Gifford moved that the assembly adjourn, until 2 o'clock P. M.

Which was disagreed to.

On motion of Mr. Walker,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

On motion of Mr. Moore,

No. 125, *a.*, a bill providing for the erection and location of a state prison

Was taken from the table.

And the question being on ordering said bill to be engrossed for a third reading,

Mr. Clothier introduced the following resolution :

Resolved. That the senate printer be, and is hereby required to print the daily journal, and to have the same ready for the use of the assembly by 9 o'clock A. M., of each day, and that the chief clerk communicate the foregoing resolution to the state printer immediately.

And the rules having first been suspended.

It was considered and adopted.

Mr. Chase moved a call of the house.

The roll was called,

And Messrs. Boyce, Clothier, Eastman. Fuller, Lessey, Osborne, Spooner and Tohl were absent.

Mr. Moore moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Cone moved that the vote by which the assembly refused to dispense with further proceedings under the call, be reconsidered.

Which was agreed to.

The question then being on dispensing with said proceedings,

It was disagreed to.

The sergeant-at-arms was despatched to procure the attendance of absent members.

And returned and reported all members present except Mr. Lowth.

Further proceedings under the call were dispensed with.

The question on ordering said bill to be engrossed and read a third time,

Was then put.

And decided in the affirmative.

And the ayes and noes having been called for and ordered,

Thase who voted in the affirmative were,

Messrs. Bannister, Biddlecome, Bjornsen, Bradley, Briggs, Cavney, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, Fuller, Hale, Hemenway, Halburt, H. Johnson,

Jones, Julius, Kinney, Ladue, Lessey, Malmros, Moore, Moorman, Olmstead, Perkins, Price, Ray, Rodolf, Rogan, Snover, Spooner, Stock, Tompkins, Tregaskis, Utley, Waldo, Wing and Horn (speaker)—41.

Those who voted in the negative were,

Messrs. Bird, Boyce, Chase, Clothier, Cole, French, Gifford, Groot, Henning, Jenkins, J. B. Johnson, Murphy, Muzzy, Osborne, Seaver, Smith, Tinker, Tohl, Van Vliet, Vincent, Walker, Whitton, Wilson—23.

On motion of Mr. Bjornsen,

The assembly resolved itself into committee of the whole, for the consideration of the file of bills in which progress had been made by a former committee;

Mr. Rodolf in the chair.

And after some time spent therein,

The committee rose, and by their chairman reported bills

No. 103, S., a bill to amend an act entitled. an act to incorporate the city of Kenosha," approved Feb. 8, 1850;

No. 105, S.. a bill relating to the use of the dredge boat in certain cases;

No. 110, S., a bill to provide for the granting of divorces in certain cases;

No. 112, S., a bill to appropriate to C. Clement the sum therein named;

No. 113. S., a bill to incorporate the fire department of the city of Kenosha;

No. 115, S., a bill to declare Bear Creek a navigable stream;

No. 116, S., a bill to vacate a portion of the plat of the village of Darlington, in the county of La Fayette;

No. 117, S., a bill to appropriate to Thomas Bullen the sum therein named;

No. 118, S., a bill to amend chapter 131, section 37, of the Revised Statutes;

Without amendment.

And bills

No. 99, S., a bill to incorporate the Milwaukee and Watertown rail road company ;

And

No. 119, S., a bill to incorporate the Milwaukee gas light company ;

With amendment.

And also reported progress on the said file of bills,

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bills no 112, 113, 116, and 117, S.,

Which were severally ordered to be read a third time.

Pending the question on ordering said bill no. 118, S., to be read a third time,

On motion of Mr. Eastman,

Said bill was referred to the committee on judiciary.

Pending the question on ordering saidbill no. 115, S., to be read a third time,

Mr. Spooner moved that all of said bill after the enacting clause be stricken out,

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Biddlecome, Bird, Bjornsen, Cavney, Chase Clothier. Cone, Doran, Easton, Estabrook, French, Fuller, Hale, Hemenway, Hulburt, J. B. Johnson, Kinney, Murphy, Olmstead, Perkins, Ray, Rogan, Seaver, Spooner, Stock, Tompkins, Tregaskis, Vincent, Walker, Wilson, and Wing—32.

Those who voted in the negative, were

Messrs. Boyce, Briggs, Cole, Dick, Eastman. Everly, Gifford, Groot, Henning, H. Johnson, Jones, Julius, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Muzzy, Price, Rodolf, Smith, Snover, Utley, Van Vliet, Waldo, Whitton, and Horn (speaker)—28.

Said bill was laid on the table.

Pending the question on ordering said bill no. 110 S., to be read a third time;

Mr. J. B. Johnson moved that said bill be laid on the table;

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Boyce, Cavney, Chase, Clothier, Cone, Dick, Doran, Easton, Fuller, Hulburt, H. Johnson, J. B. Johnson, Kinney, Lessey, Ray, Rodolf, Rogan, Seaver, Smith, Spooner, Stock, Tregaskis, Van Vliet, Vincent and Wing—26.

Those who voted in the negative, were

Messrs. Biddlecome, Bird, Bjornsen, Briggs, Cole, Eastman, Estabrook, Everly, French, Gifford, Groot, Hale, Heminway, Henning, Jones, Julius, Ladue, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Snover, Tompkins, Utley, Waldo, Walker, Whitton, Wilson and Horn (speaker)—34.

Mr. H. Johnson moved to strike out the enacting clause of said bill,

Which was disagreed to.

Mr J. B. Johnson moved that said bill be referred to the committee on judiciary.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Bird, Boyce, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Fuller, Hale, Hulburt, J. B. Johnson, Jones, Kinney, Malmros, Perkins, Ray, Rodblf, Rogan, Seaver, Spooner, Stock, Tinker, Tregaskis, Van Vliet, Vincent and Wing—29.

Those who voted in the negative, were

Messrs. Biddlecome, Bjornsen, Briggs, Eastman, Easton, Estabrook, Everly, French, Gifford, Groot, Heminway, Hen-

ning, H. Johnson, Julius, Ladue, Lessey, Moore, Moorman, Murphy, Muzzy, Olmstead, Price, Smith, Snover, Tompkins, Utley, Waldo, Walker, Whitton, Wilson and Horn (speaker) —31.

Mr. J. B. Johnson moved that the assembly adjourn until half past 7 o'clock, P. M.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Bird, Boyce, Chase, Cone, Dick, Doran, Estabrook, Hale, Heminway, Hulburt, H. Johnson, J. B. Johnson, Kinney, Malmros, Ray, Rogan, Seaver, Spooner, Stock, Tinker, Tregaskis, Van Vliet and Vincent—24.

Those who voted in the negative, were

Messrs. Biddlecome, Bjornsen, Briggs, Cavney, Clothier, Cole, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Henning, Jones, Julius, Ladue, Lessey, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Rodolf, Smith, Snover, Tompkins, Utley, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—36.

The question recurring on ordering said bill to be read a third time,

Mr. Doren moved that said bill be referred to a select committee;

Which was disagreed to.

Mr. J. B. Johnson moved that the further consideration of said bill be indefinitely postponed,

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Bird, Boyce, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Estabrook, French, Fuller, Hale, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Lessey, Malmros, Rodolf, Rogan, Seaver, Spooner, Stock, Tinker, Tregaskis, Van Vliet, Vincent, Wing—32.

Those who voted in the negative, were

Messrs. Biddlecome, Bjornson, Briggs, Eastman, Easton, Everly, Gifford, Groot, Henning, Julius, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Ray, Smith, Snover, Tompkins, Utley, Waldo, Walker, Whitton, Wilson and Horn (speaker)—27.

A message from the senate by William Hull Esq., their chief clerk;

Mr. Speaker—

I herewith return the resolution in relation to preparing a record, of claims &c., vs. the state, agreeably to the request of the Hon. Assembly.

I am also directed to inform you, that senate insists on its second amendment to bill

No. 23, *a.*, a bill to amend chapter 19, of title 7, part 1, of the revised statutes,

And has passed bill

No. 32, *a.*, a bill to amend section 56, chapter, 16, title 6, part 1 of revised statutes,

Without amendment,

And,

No. 112, *a.*, a bill to incorporate the Palmyra and Jefferson, turnpike and plank road company,

With amendments.

In which the concurrence of the assembly is requested.

I am further directed to inform you that senate has also passed,

No. 176, S., a bill to incorporate the Omro and Waupun Plank road company,

No. 154, S., a bill to authorize the construction of bridges across the Portage canal,

No. 244, S, a bill to authorize the construction of a free bridge across Fox river at Bloomingdale,

No. 209, S., a bill to vacate the town plat of Dunkirk Falls.

In which I am requested to ask the concurrence of the assembly.

I am further directed to inform you that the Senate has passed.

No. 113, *a.*, a bill licensing the sale of intoxicating liquors,

With amendments,

In which the concurrence of the assembly is requested.

Pending the further consideration of the report of the committee of the whole,

On motion of Mr. Hemenway,

The assembly adjourned.

WEDNESDAY, March 5, 9½ A. M.

Pending the reading of the journal of yesterday,

The further reading thereof was dispensed with.

Mr. Jenkins presented the petition of R. Houghton and 187 others, asking for a division of the second ward of the city of Milwaukee,

Referred to a select committee to consist of the members from Milwaukee,

Mr. Olmstead, presented the petition of G. Scott and 75 others, for a review and survey of a territorial road,

Referred to committee on roads and bridges.

Mr. Bird presented the account of Tibbitts Gordon & Co., vs the state,

Mr. Tregaskis, the claim of John Dowling vs. the state,

Which account and claim were severally referred to the committee on claims.

Mr. H. Johnson introduced the following resolution:

Resolved, That the use of the assembly hall be given to the friends of agriculture, on Saturday evening, the 8th inst., for the purpose of organizing a state agricultural society.

And the rules having first been suspended,

Said resolution was considered and adopted.

The question on the adoption of the resolution introduced yesterday, granting the use of the assembly hall, for this evening to the "Columbian "Melodists,"

Was decided in the negative.

The Speaker laid before the assembly the following communication from the state engineer:

To the Honorable the assembly of the state of Wisconsin:

My attention has been called by a communication from your chief clerk, to the resolution adopted by your honorable body on the 11th inst., calling upon the State Engineer for a plan and report of the best manner of improving the rapids of the Wisconsin river, between Point Bausse and Beaulieux rapid, in compliance with thn joint resolution of the legislature of the last session directing a survey and estimate to be made with a view to the improvement of those rapids, for downward navigation.

I called the attention of the board of public works, under whose direction I was acting, to the joint resolution; and was directed by them to make the necessary surveys and estimates provided that they would not interfere with the discharge of my legitimate duties upon the line of the improvement of the Fox and Wisconsin rivers.

It would have afforded me much pleasure to have performed the services contemplated by that resolution; and I regret that my time, was necessarily so occupied in the discharge of duties upon the line of the improvement, that it was impossible for me to devote my attention to the survey of the Upper Wisconsin.

I have before alluded to this subject, in the closing para-

graph of my report to the board of public works, as will be seen by reference to that document.

Respectfully,

(Signed) C. R. ALTON,

Chief Eng. F. & W. R. Imp.

Dated, Fort Winnebago, Feb. 28, 1851.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bills

No. 125, *a.*, a bill to provide for the erection and location of a state prison,

No. 134, *a.*, a bill to lay out and open a state road from Depere in Brown county to Willow river in St. Croix county,

No. 157, *a.*, a bill to amend an act concerning the fees of certain officers and other persons,

No. 162, *a.*, a bill to provide for the election of county treasurers,

No. 166, *a.*. a bill to amend charter of the Rock River Union Valley Railroad company,

No. 184, *a.*, a bill to provide for the laying out of a state road therein named,

No. 186, *a.*, a bill to protect plank, gravel, charcoal and macadamized roads in the state of Wisconsin;

No. 192, *a.*, a bill to grant to the Neenah and Manitowoc plank road company, the right of way through the state lands;

No. 200, *a.*, a bill to authorize Thomas J. Townsend to keep a ferry across Fox river.

No. 202, *a.*, a bill to incorporate the Portage bridge company,

No. 203, *a.*, a bill to lay out a state road therein named.

No. 204, *a.*, a bill to amend an act, entitled an act authorizing Hugh McFarlane and Robert V. Allen to build a bridge across the Wisconsin river,

No. 205, *a.*, a bill to extend the limits of the town of Rushford in the county of Winnebago,

No. 215, *a.*, a bill to vacate a part of the town plat of the village of Oshkosh and to legalize a subsequent survey,

No. 216, *a.*, a bill to permit certain animals to run at large,

No. 225, *a.*, a bill to provide for laying out and establishing certain roads therein named,

No. 227, *a.*, a bill to amend chapter 70 of the revised statutes,

No. 228, *a.*, a bill to amend chapter 88 of the revised statutes,

No. 256, *a.*, a bill to authorize the citizens of the village of Waucoma to build a meeting house, on the public square of said village,

No. 258, *a.*, a bill providing for the manner in which the fees of the Sheriffs shall be paid in certain cases,

No. 264, *a.*, a bill to amend sec. 28, of chap. 131, title 29, of the revised statutes,

And,

No. 277, *a.*, a bill to permanently locate the county seat of Columbia.

Mr. Lowth, from the committee on education and school lands, to whom the same were referred, reported back bills

No. 316, *a.*, a bill to provide for the payment of indebtedness to the capital of the school fund,

No. 324, *a.*, a bill to legalize the organization and acts of school district No. 4, in the town of Ashippun, Dodge county,

No. 329, *a.*, a bill defining certain duties of the State Superintendent,

No. 333, *a.*, a bill in relation to Normal Schools,

No. 351, *a.*, a bill to legalize school district no. 2, in Fort Winnebago,

No. 352, *a.*, a bill to legalize school district no. 1, in Fort Winnebago and authorizing a tax,

And,

No. 355, *a.*, a bill to legalize school school district no. 4, in the town of Ottawa,

Without amendment,

And recommended their passage,

And also, from same committee reported bill

No. 330, *a.*, a bill to authorize school district no. 4, in the town of Waldwic in the county of Iowa, to draw its proportion of school monies for 1850,

Which was read the 1st and 2d time.

Mr. J. B. Johnson, from the select committee to whom the same was referred, reported back bill

No. 217, *a.*, a bill declaring a certain road in the village of Hazel Green,

With the following amendment,

Strike out of section 1st after the word "meridian," "thence north to the northeast corner of the aforesaid northwest quarter section,"

Which amendment was adopted,

And said bill was ordered to be engrossed and read a third time.

Mr. Rogan, from the committee on claims to whom the same were referred, reported back bills

No. 179, S., a bill to appropriate to Wm. E. Cramer the sum therein named,

No. 185, S., a bill to pay Wm. Doughty the principal and interest due on five bonds issued by the territory of Wisconsin,

No. 194, S., a bill appropriating to E. B. Quiner the sum therein named.

No. 199, S., a bill to appropriate John W. Hunt the sum therein named,

No. 205, S., a bill to appropriate to Rood and Whittemore the sum therein named,

And,

No. 319, *a.*, a bill appropriating to Jerome R. Brigham a sum of money therein named,

Without amendment,

Recommending their passage.

And also, from same committee, reported bill

No. 361, *a.*, a bill to pay Moritz Shoeffler the sum therein named,

Which was read the 1st and 2d time,

And referred to committee on legislative expenditures.

Mr. Lowth moved that the rules be suspended for the purpose, and that said bill no. 199, S., be read a 3d time now.

Which was agreed to.

Said bill was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornson, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—65.

None voted in the negative.

The title of the bill was agreed to.

Mr. Olmstead, from the committee on incorporations, to whom the same were referred, reported back bills

No. 321, *a.*, a bill to grant to the Chicago and Galena and Chicago Union rail road company the privilege of extending and running said road through La Fayette county;

And

No. 353, *a.*, a bill to incorporate the Oskosh and Waupun plank road company;

Without amendment,

Recommending their passage.

Mr. Bannister from the select committee to whom the same was referred, reported back bill

No. 214, *a.*, a bill to pay W. H. Howard the sum therein named;

With an amendment.

The amendment was concurred in.

And the said bill was ordered to be engrossed for a third reading,

Mr. Walker from the select committee to whom the same was referred, reported back bill

No. 241, *a.*, a bill to provide for the superintendence of the state library, for the purchase of books for the same, and for other purposes;

With amendments.

The amendments were concurred in.

Said bill was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Cole, Doran, Eastman, Easton, Estabrook, Everly, Fuller, Gifford, Groot, Heminway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Osborne, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—57.

Those who voted in tho negative, were

Messrs. Chase, Clothier, Cone, Dick, Hale and Olmstead —6.

The title of the bill was agreed to.

Mr. Rodolf, from the committee on town and county organization, reported back bill

No. 306, *a.*, a bill defining the western boundary of the county of Columbia;

With a recommendation that it do not pass.

Also, bill

No. 290, *a.*, a bill to authorize the electors of the county of La Fayette to vote on the removal of the county seat of said county;

Asking to be discharged from its further consideration;

The committee was so discharged.

On motion of Mr. Olmstead,

Said bill no. 290, *a.*, was referred to a select committee, to wit: Ray, Cole and Jones.

Mr. Wilson, from the committee of conference on the disagreeing vote of the senate and assembly, in relation to bill no. 59, S., submitted the following report:

REPORT.

The committee of conference on the disagreeing vote of the two houses on bill

No. 59, S., a bill granting pre-emption rights to settlers on the even numbered sections upon the Fox river Reserve,

Report that they have had the same under consideration, and recommend that the assembly recede from their amendments to said bill.

Which report was adopted.

A message in writing, from the Governor, by George P. Delaplaine, Esq., his private secretary.

EXECUTIVE DEPARTMENT,
Madison, March 4, 1851.

To the Assembly:—

I herewith transmit to the legislature, for its information, a supplementary report of the state Superintendent relative to the apportionment of the income of the school fund under the act of February 10th, 1851.

(Signed) NELSON DEWEY.

The report of the state superintendent accompanying said communication

Was read.

The messages from the senate were taken up.

The amendments of the senate to bill

No. 113, *a.*, a bill licensing the sale of intoxicating liquors.

Were concurred in.

The assembly receded from its non-concurrence in the amendments of the senate to bill

No. 23, *a.*, a bill to amend chapter 19, of title 7, part 1st, of the Revised Statutes.

The amendments of the senate to bill

No. 112, *a.*, a bill to incorporate the Palmyra and Jefferson plank road company,

Were concurred in.

The following bills, to wit:

No. 154, S., a bill to authorize the construction of a bridge across the Portage canal.

No. 176, S., a bill to incorporate the Omro and Waupun plank road company.

No. 209, S., a bill to vacate the town plat of Dunkirk falls.

And

No. 244, S., a bill to authorize the construction of a free bridge across the Fox river at Bloomingdale.

Were severally read the first and second time.

The following bills, to wit l

Said bills nos. 162, 166, 184, 192, 200, 202, 203, 204, 205, 215, 225, 227, 256, 264, and 277, *a.*,

Were severally read a third time, passed,

And the titles agreed to.

Said bill no. 125, *a.*, was read a third time.

And the question on its passage,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bjornsen, Bradley, Briggs, Cavney, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, Fuller, Hale, Hemenway, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth,

Malmros, Moore, Moorman, Murphy, Muzzy, Perkins, Price, Ray, Rodolf, Seaver, Smith, Snover, Stock, Tompkins, Tregaskis, Waldo, Walker, Whitton, and Horn (speaker)—44.

Those who voted in the negative, were

Messrs. Bird, Boyce, Chase, Clothier, Cole, French, Gifford, Groot, Henning, Hulburt, Jones, Olmstead, Osborne, Rogan, Spooner, Tinker, Van Vliet Vincent and Wing—18.

The title of the bill was agreed to.

Said bill no. 131. *a.*, was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bjornsen, Boyce, Bradley, Cole, Dick, Doran, Eastman, Easton, Everly, French, Gifford, Henning, Jones, Julius, Ladue, Lessey, Lewis, Malmros, Moorman, Muzzy, Perkins, Price, Smith, Snover, Tompkins, Waldo, Whitton, Wilson and Horn (speaker,)—32.

Those who voted in the negative were.

Messrs. Bird, Briggs, Cavney, Chase, Clothier, Cone, Fuller, Groot, Hale, Hemenway, Hulburt, H. Johnson, Kinney, Murphy, Olmstead, Osborne, Ray, J. B. Johnson, Rodolf, Rogan, Seaver, Spooner, Stock, Tinker, Van Vliet, Vincent, and Wing—29.

The title of the bill was agreed to.

Said bill no. 157, *a.*, was read a third time.

And pending the question on its passage,

On motion of Mr. Biddlecome,

Said bill was referred to a select committee, to wit: Messrs. Bird, Spooner, and Wilson.

Said bill no. 186, *a.*, was read a third time.

And pending the question on its passage,

On motion of Mr. Walker,

It was laid on the table.

Said bill no. 216, *a.*, was read a third time.

And the question on its passage,

Was decided in the affirmative,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barnett, Biddlecome, Cavney, Eastman, Easton, Everly, French, Groot, Hale, Henning, Jenkins, J. B. Johnson, Jones, Lessey, Lowth, Malmros, Murphy, Muzzy, Olmstead, Price, Ray, Seaver, Smith, Snover, Spooner, Stock, Tohl, Tompkins, Tregaskis, Utley, Wilson and Horn (speaker—32.

Those who voted in the negative, were

Messr. s Bannister, Bird, Bjornsen, Boyce, Briggs, Chase Clothier, Cole, Cone, Dick, Doran, Estabrook, Fuller, Gifford, Hemenway, Hulburt, H. Johnson, Julius, Kinney, Moore, Moorman, Osborne, Perkins, Rodolf, Rogan, Van Vliet, Vincent, Waldo, Walker and Wing—30.

The title of the bill was agreed to.

Said bill No. 228, *a.*, was read a third time.

And pending the question on its passage,

On motion of Mr. Doran,

It was referred to the judiciary committee.

Said bill no. 258, *a.*, was read a third time.

And the question on its passage,

Being decided in the negative,

Said bill was laid on the table.

A message from the senate, by William Hull, Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that senate has concurred in the passage of

No. 37, *a.*, a bill to repeal chapter 86, title 22, part 3, of the Revised Statutes;

No. 74, *a.*, a bill in relation to insurance on lives and for the benefit of married women and other persons;

No. 95, *a.*, a bill relating to the militia;

And

No. 96, *a.*, a bill to provide for laying out and establishing state roads therein named;

Without amendment.

And has passed

No. 158, S., a bill to amend chapter 125, of the Revised Statutes, entitled, "of writs of mandamus and prohibition."

No. 200, S., a bill to appropriate to J. C. Fairchild the sum therein named ;

And

No. 220, S., a bill to incorporate the Sheboygan and Calumet plank road company ;

In which the concurrence of the assembly is requested,

Mr. Doran moved that the vote by which the assembly refused to pass said bill no. 258, *a.*,

Be reconsidered.

Which was agreed to,

Mr. Doran had unanimous leave to amend said bill by inserting after the word "courts,', the words, "except the supreme court of the state."

Said bill was then passed.

And the title agreed to.

No. 4, S., a bill authorizing the construction of wharves in the city of Milwaukee,

Was read a third time, passed,

And the title agreed to.

No. 84, S., a bill to appropriate Timothy Burns the sum therein named,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Dick, Doran, Eastman, Easton, Estabrook, French, Fuller, Gifford, Groot, Hemenway, Henning, Jenkins, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray,

Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—58.

Those who voted in the negative, were

Messrs. Bird, Clothier, Cone, Everly, Hale, Hulburt, H. Johnson,—7.

The title of the bill was agreed to.

No. 164, S., a bill to provide for holding the terms of the circuit court in the counties therein named,

Was read a third time.

And pending the question on its passage,

On motion of Mr. Jenkins,

It was referred to the committee on judiciary.

No. 112, S., a bill to appropriate to C. Clement the sum of money therein named,

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing, and Horn (speaker)—64.

None voted in the negative.

The title of the bill was agreed to.

Mr. J. B. Johnson, from the committee on enrollments, reported as correctly enrolled, bills

No. 78, *a.*, a bill to incorporate the village of Manitowoc, in the county of Manitowoc;

No. 85, *a.*, a bill to prevent the killing of deer in certain months of the year,

No. 171, a., a bill to provide for the re-appraisal and sale of the University lands, and for granting pre-emption rights thereon;

No. 21, S., an act to amend sec. 2, of chap. 198, of the Revised Statutes;

And also reported that the committee had presented to the Governor for his approval, acts entitled as follows:

An act to lay out a state road from Grand Rapids in Portage county, to Prairie La Crosse:

An act to lay out a state road in the counties of Jefferson and Waukesha;

An act to incorporate the Manitowoc and Green Bay plank road company;

An act to amend an act to incorporate the Sheboygan and Fond du Lac road company, approved March 11th, 1848;

An act to incorporate the Watertown, Hubbleville and Waterloo plank road company;

An act defining the boundaries of the village of Westfield, formerly Harastzthy, in the county of Sauk;

An act to authorize the construction of a free bridge across the Milwaukee river:

Said enrolled bills were severally signed by the speaker.

And thereupon were transmitted to the senate.

No. 113, S., a bill to incorporate the fire department of the city of Kenosha;

And

No. 116, S., a bill to vacate a portion of the plat of the village of Darlington, in the county of La Fayette;

Were severally read a third time, passed,

And the titles agreed to.

No. 117, S., a bill to appropriate Thomas Bullen the sum therein named,

Was read a third time.

And the question on its passage,

Was decided in the affirmative,

Those who voted in the affirative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Briggs, Cavney, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, H, Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn, (speaker)—59.

None voted in the nogative.

The title of the bill was agreed to.

Mr. Estabrook moved that bill

No. 281, *a.*, a bill to appropriate to Thomas Reynolds the sum therein named;

Be taken from the table,

And returned to the file of bills reported by a committee of the whole;

Which was agreed to.

On motion of Mr. Julius,

No. 235, *a.*, a bill to alter the boundaries of the town of Calumet, Fond du Lac county,

Was taken from the table and returned to the file of bills reported by a committee of the whole.

On motion of Mr. J. B. Johnson,

The assembly adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

Mr. Ray from the select committee to whom the same was referred, reported back said bill no. 290, *a*,

Without amendment,

Recommending its passage.

Bills reported by a committee of the whole,

Being under consideration,

Said bill no. 281, *a.*, was ordered to be engrossed and read a third time.

The following bills, to wit:

No. 103, S., a bill to amend an act entitled 'an act to incorporate the city of Kenosha;' approved Feb. 8th, 1850.

No. 105, S., a bill relating to the use of the dredge boat in certain cases.

Were severally ordered to a third reading.

Pending the question on ordering said bill

No. 81, S., a bill to amend sec. 213 of chap. 83 of the revised statutes,

To be read a third time.

Mr. Doran moved that said bill be referred to the judiciary committee,

Which was agreed to,

And said bill was laid on the table.

The question on ordering bill

No. 50, S., a bill to change the system of county government,

To be read a third time,

Was decided in the negative,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Bird, Bjornsen, Boyce, Briggs, Eastman, Easton, Estabrook, Everly, Hale, J. B. Johnson, Lessey, Moore, Moorman, Price, Ray, Rodolf, Rogan, Spooner, Tinker, Tregaskis, Utley and Horn (speaker)—23.

Those who voted in the negative, were

Messrs. Biddlecome, Barnett, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, French, Fuller, Gifford, Groot, Hemenway, Henning, Hulburt, H. Johnson, Jones, Julius, Kinney, Malmros, Murphy, Muzzy, Olmstead, Osborne, Per-

kins, Seaver, Smith, Snover, Stock, Tompkins, Van Vliet, Vincent, Waldo, Walker. Whitton, Wilson and Wing—39.

On motion of Mr. Henning,

The assembly resolved itself into committee of the whole for the consideration of the file of bills in which progress had been made by a former committee,

Mr. Biddlecome in the chair,

And after some time spent therein,

The committee rose, and by their chairman, reported bills,

No. 187, *a.*, a bill to incorporate the north western Art Union,

No. 197, *a.*, a bill to authorize the construction of a boom across the Wolf river,

No. 221, *a.*, a bill co submit, the question of the division of Grant county to a vote of the people,

No. 237, *a.*, a bill to appropriate to H. W. Chapman, the sum therein named,

No. 238, *a.*, a bill to authorize the constructio of a dam across the Baraboo river ;

No. 245, *a.*, a bill for the relief of school district number 2, in the town of Richmond in the county of Richland ;

No. 278, *a.*, a bill to lay out and establish a state road therein named ,

No. 294, *a.*, a bill relative to the payment of notes or other evidences of debt where no place of payment is fixed in the note or other evidence of debt, and where the debtor or payer is unable to ascertain the person who is the owner of the note or other evidence of debt ;

No. 300, *a.*, a bill granting to Henry Kingsbury the right to keep and maintain a ferry across the Wisconsin river at the Lone Rock, in the county of Adams ;

No. 301, *a.*, a bill to authorize George Stevens and others to improve the Little Bull Falls on Wisconsin river, and repeal an act approved Feb. 9, 1850 ;

No. 303, *a.*, a bill appropriating to Darwin Clark the sum therein named ;

No. 304, *a.*, a bill to appropriate to the county of Rock the sum therein named ;

No. 313, *a.*, a bill to provide for raising a tax in school district composed of dist. no. 5, 7, and 8, in the towns of Porter, Union and Dunkirk ;

And

No. 314, *a.*, a bill for the relief of school district no. 4, in the towns of Janesville and Harmony, in Rock county ;

Without amendment.

And bills,

No. 174, *a.*, a bill to levy a tax on dogs ;

No. 189, *a.*, a bill to amend chapter 12 of title 4, of the Revised Statutes ;

No. 288, *a.*, bill relating to the Swamp Lands ;

And

No. 302, *a.*, a bill to authorize the construction of a bridge across Fox river at Twiggs Landing.

With amendments.

And also reported progress on the general file of bills, and asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Pending the question on concurring in the amendments of the committee to said bill, no. 174, *a.*,

On motion of Mr. Hale,

Said bill with the pending amendments was referred to a select committee, to wit :

Messrs. Tompkins, H. Johnson, and Spooner.

The amendments of the committee to said bill No. 302, *a.*,

Were concurred in.

The amendments to said bill no. 189, *a.*,

Were concurred in.

And pending the question on ordering said bill to be engrossed for a third reading,

On motion of Mr. Cone.

Said bill was laid on the table.

The amendments of the committee to said bill no. 288, *a.*, Were not concurred in.

And pending the question on ordering said bill to be engrossed for a third reading,

Mr. Walker moved further to amend the bill by adding the following section :

Section 11. That said commissioners shall not survey any lands lying on any stream or lake, which has been heretofore meandered or surveyed by the general government, where the land bordering on said stream, river, or lake, has been sold by the government, notwithstanding the water may have receded and left a portion of swamp land between the original meandered line and the water.

Which was agreed to.

And said bill was ordered to be engrossed and read a third time.

Pending the question on ordering said bill no. 2, *a.*, to be engrossed for a third reading,

On motion of Mr. Tompkins,

Said bill was laid on the table.

Pending the question on ordering said bill no. 294, *a.*, to be engrossed for a third reading,

On motion of Mr. Doran,

Said bill was referred to Mr. Bannister for amendment.

Said bills no. 187, 238, 245, 300, 301, 303, 304, 313, and 314, *a.*,

Were severally ordered to be engrossed and read a third time.

Pending the question on ordering said bill no. 237, *a.*, to be engrossed for a third reading,

Mr. Spooner moved that all of said bill after the enacting clause be stricken out,

Which was agreed to.

And said bill was laid on the table.

Pending the question on ordering said bill no. 278, *a.*, to be engrossed for a third reading,

On motion of Mr. Tohl,

Said bill was laid on the table.

Pending the question on ordering said bill no. 197, *a.*, to be engrossed for a third reading,

Mr. Bird moved that all of said bill after the enacting clause be stricken out.

Which was agreed to.

And said bill was laid on the table,

Mr. Ray moved that the vote by which the assembly struck out all after the enacting clause of said bill

No. 168, *a.*, a bill in relation to the improvement of the capitol

Be reconsidered.

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Clothier, Doran, Estabrook, Everly, French, Henning, Hulburt, H. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Muzzy, Olmstead, Price, Ray, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson and Horn (speaker.)—46.

Those who voted in the negative, were

Messrs. Chase, Cone, Easton, Fuller, Gifford, Groot, Hale, Hemenway, J. B. Johnson, Perkins, Seaver, Wing—12.

The question on striking out all of the said bill except its enacting clause,

Was then put,

And decided in the negative.

On motion of Mr. Bird,

Said bill was laid on the table.

Pending the question on ordering said bill no. 221, *a.*, to be engrossed for a third reading,

Mr. Biddlecome moved that said bill be laid on the table.

Which was disagreed to.

And the question recurring on ordering the engrossment of said bill,

Pending the same,

On motion of Mr. Chase,

The assembly adjourned.

THURSDAY, March 6, 9½ o'clock A. M.

Prayer by the Rev. Mr. Lattin.

Pending the reading of the journal of yesterday,

On motion of Mr. Vincent,

The further reading of the same was dispensed with.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bills

No. 207, *a.*, a bill to incorporate the Richland city bridge company in Richland county.

No. 214, *a.*, a bill to pay W. H. Howard the sum therein named.

No. 217, *a.*, a bill declaring a certain road in the village of Hazel Green a public highway.

No. 230, *a.*, a bill to amend part 1st, title 3, chapter 10, section 28 of the revised statutes, giving the county board of supervisors power to vacate towns.

No. 235, *a.*, a bill to alter the boundaries of the town of Calumet, Fond du Lac county.

No. 250, *a.*, bill for laying out a state road in the counties of Jefferson and Waukesha.

No. 281, *a.*, a bill to appropriate to Thomas Reynolds the sum therein named.

Mr. Tompkins, from the select committee to whom the same was referred, reported back bill

No. 174, *a.*, a bill to levy a tax on dogs;

With a substitute therefor.

The substitute reported by the said committee,

Was adopted,

And the bill was ordered to be engrossed for a third reading.

Mr. Bjornsen, from the select committee to whom the same was referred, reported back bill

No. 297, *a.*, a bill to save the state annually $100,000.

Recommending that it do not pass.

The question being on the adoption of said report,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Bjornsen, Bradley, Cone, Doran, Easton, Estabrook, French, Fuller, Groot, Hale, Heminway, Hulburt, H. Johnson, Julius, Kinney, Ladue, Lowth, Malmros, Moorman, Murphy, Olmstead, Osborne, Rodolf. Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Utley, Van Vliet, Vincent, Waldo, Whitton, Wilson and Horn (speaker)—38.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Briggs, Cavney, Chase, Clothier, Cole, Dick, Eastman, Everly, Gifford, Henning, J. B. Johnson, Jones, Lessey, Moore, Muzzy, Perkins, Price, Ray, Rogan, Seaver, Tregaskis, Walker and Wing—25.

Mr. Lowth moved that the vote by which the assembly adopted the report made yesterday by the committee on conference in relation to the disagreeing vote of the two houses on bill

No. 59, S., a bill granting pre-emption rights to settlers upon the even-numbered sections of land on the Fox river reserve;

Be reconsidered,

Which was agreed to,

And the chief clerk was directed to request the Senate to return said bill to the assembly for further consideration.

Mr. Tinker presented, on leave of the assembly, sundry petitions from residents of the city of Milwaukee, for the repeal of sec. 3 of a bill amendatory of the city charter and acts amendatory thereto.

Which were referred to the select committee of members from Milwaukee, having charge of the said bill.

On motion of Mr. Malmros,

No. 299, *a.*, a bill to provide for the apportionment of members of the senate and assembly ;

Was made the special order for this evening.

Mr. Lowth, from the committee on education and school lands, to whom the same was referred, reported back bill

No. 293, *a.*, a bill to legalize the acts of the town superintendent of the town of Concord ;

Without amendment,

Recommending its passage.

And also, from same committee, reported bill

No. 362, *a.*, a bill to provide the manner in which town superintendents of schools shall establish or alter school districts in their respective towns ;

Which was read the first and second time.

And also, from the select committee to whom the same was referred, reported back bill

No. 320, *a.*, a bill to establish the "ten hour system of labor" on public works ;

Without amendment,

Recommending its passage.

Mr. Bannister, to whom the same was referred yesterday, reported back bill

No. 294, *a.*, a bill relative to the payment of notes or other evidences of debt, where no place of payment is fixed in the note or other evidence of debt, and where the debtor or payer is unable to ascertain the person who is the owner of the note or other evidence of debt ;

With an amendment.

The amendment was adopted and said bill ordered to be engrossed for a third reading.

The speaker laid before the assembly a communication from the clerk of the Board of Supervisors of Manitowoc county, and also, one from the clerk of board of supervisors of Dane county, in relation to the formation of new towns since last census.

Laid on the table.

Also, a communication from the Governor, containing the annual statement required by the constitution, in relation to pardons and commutations of sentence of convicts during the year 1850.

Which was ordered to be printed.

A message in writing, from the Governor, by George P. Delaplaine, Esq., his private secretary.

EXECUTIVE DEPARTMENT,
Madison, March 5, 1851.

To the Assembly :—

I have this day approved, signed and deposited in the office of the secretary of state acts of the following titles :

An act to lay out a state road from Grand Rapids in Portage county, to Prairie La Crosse.

An act to lay out a state road in the counties of Jefferson and Waukesha.

And

An act to provide for the submission of the question of "Banks" or "No Banks" to the people.

NELSON DEWEY.

Mr. J. B. Johnson, from the committee on enrolments, submitted the following

REPORT.

The committee on enrollments report as correctly enrolled:

No. 66, S., a bill to amend chapter 65, section 17 of the revised statutes, providing for the sale of lands by administrators, executors and guardians.

No. 32, *a.*, a bill to amend section 56 of chapter 16 of the revised statutes.

No. 4, S., a bill authorizing the construction of wharves in the city of Milwaukee.

No. 116, S., a bill to vacate a portion of the plat of the village of Darlington in the county of Lafayette.

No. 84, S., a bill to appropriate to Timothy Burns the sum therein named.

No. 112, S., a bill to appropriate to C. Clement the sum of money therein named.

No. 199, S., a bill to appropriate to John W. Hunt the sum of money therein named.

No. 117, S., a bill to appropriate to Thomas Bullen the sum therein named.

No. 39, S., a bill granting pre-emption rights to settlers upon the even-numbered sections of land on the Fox river Reserve.

No. 69, S., a bill to incorporate the Fox and Wisconsin river plank road company.

No. 37, *a.*, a bill to repeal chapter eighty-six; title twenty-two, part third of the revised statutes.

No. 23, *a.*, a bill to amend chapter nineteen of title seven part first of the revised statutes.

No. 14, *a.*, a bill in relation to insurance on lives and for the benefit of married women and other persons.

J. B. JOHNSON.

The message from the senate was taken up.

And the following bills, to wit :

No. 158, S., a bill to amend chapter 125 of the Revised Statutes entitled, " of writs of mandamus and prohibition ;

No. 200, S., a bill to appropriate J. C. Fairchild the sum therein named ;

And

No. 220, S., a bill to incorporate the Sheboygan plank road company ;

Were severally read the 1st and 2nd time.

On motion of Mr. Spooner,

Said bill no. 158, S., was referred to the committee on judiciary.

And said bill no. 200, S., to the committee on claims.

The following bills, to wit:

No. 99, S., a bill to incorporate the Milwaukee and Watertown rail road company;

No. 103, S., a bill to amend an act entitled "an act to incorporate the city of Kenosha," approved Feb. 8th, 1850.

No. 105, S., a bill relating to the use of the dredge boat in certain cases.

And said bills No. 207, 217, 230, 235, and 250, *a.*,

Were severally read a third time, passed,

And the titles agreed to.

Said bill no. 214, *a.*, was read a third time,

And the question on its passage

Was decided in the affirmative.

And the ayes and noes being required,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Chase, Cole, Cone, Dick, Doran, Easton, Estabrook, Everly, Fuller, Groot, Hale, Hemenway, Henning Hulburt, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Seaver, Smith, Snover, Tompkins, Utley, Vincent, Waldo, Wing and Horn (speaker)—45.

Those who voted in the negative, were

Messrs. Clothier, French, H. Johnson, J. B. Johnson, Price, Ray, Spooner, Stock, Tinker, Tohl, Van Vliet, Walker, Whitton and Wilson—14.

The title of the bill was agreed to.

Said bill no. 281, *a.*, was read a third time.

And the question on its passage,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative, were

Messrs. Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cayney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hemenway, Henning, Hulburt, H. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley. Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—60.

Those who voted in the negative, were

Messrs. Barnett, Hale, J. B. Johnson, and Rogan—4.

The title of the bill was agreed to.

Mr. Rogan, on leave granted, introduced bill

No. 363, *a.*, a bill for the relief of common schools in the county of Jefferson.

Which was read the first and second time.

A message from the senate by William Hull Esq., their chief clerk;

Mr. Speaker—

I am directed to inform you that senate has passed,

No. 155, S., a bill to incorporate the Milwaukee and Lisbon plank road and turnpike company.

No. 183, S., a bill to incorporate the Milwaukee and Wauwatosa plank road company.

No. 219, S., a bill to declare a certain street a public highway.

No. 222, S., a bill to incorporate the Wilmot Academy.

And

No. 235, S., a bill to incorporate the Delevan branch rail road company.

In which the concurrence of the assembly is requested.

And has concurred in the passage of

No. 115, *a.*, a bill to appropriate to Alexander Mitchell a certain sum of money therein named.

No. 116, *a.*, a bill to appropriate to Alexander Mitchell a certain sum of money therein named.

No. 118, *a.*, a bill in relation to state roads.

No. 177, *a.*, a bill to establish a certain state road therein named.

No. 285, *a.*, a bill to lay out and establish a state road therein described. And

No. 275, *a.*, a bill to incorporate the Strongsville seminary.

Without amendment.

And

No. 102, *a.*, a bill to lay out a state road from the village of Madison, in the county of Dane, to the 1-4 stake on sec. no. 36, township 9, north, range 2 east, in the county of Richland.

No. 97, *a.*, a bill to lay out a state road from the junction of the Madison and Verona state road to Wiota.

No. 138, *a.*, a bill for laying out a state road in the county of Dodge.

No. 145, *a.*, a bill to provide for laying out and establishing state roads therein named.

No. 262, *a.*, a bill to authorize certain state roads therein named.

No. 240, *a.*, a bill for the laying out of a state road in the county of Marquette.

No. 246, *a.*, a bill to authorize the laying out of a state road therein named.

No. 152, *a.*, a bill to lay out and establish a certain road therein named.

No. 154, *a.*, a bill to authorize the laying out of a state road therein named.

No. 153, *a.*, a bill to authorize the laying out of a state road therein named.

No. 139, *a.*, a bill for the laying out of a state road therein described.

No, 261, *a.*, a bill to authorize the laying out of certain state roads therein named.

No. 263, *a.*, a bill to establish a state road therein described.

No. 280, *a.*, a bill for a state road therein named.

No. 284, *a.*, a bill to lay out and establish a state road therein described.

No. 279, *a.*, a bill to authorize the laying out of a state road therein named.

And

No. 117, *a.*, a bill to authorize Henry J. Elliot and his associates to build and maintain a bridge across Fox river at Delhi, in the county of Winnebago.

With amendments to each,

In which the concurrence of the assembly is requested.

On motion of Mr. Tohl,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

Mr. Smith, on leave granted, introduced bill

No. 364, *a.*, a bill to vacate a part of the territorial road in Dodge county, surveyed by Victor M. Adams, under the direction of Isaac Noyes and Benjamin Clausen, commissioners, and established by an act of the territorial legislature, approved Feb. 22, 1845.

Which was read the first and second time,

And referred to the committee on roads and bridges.

On motion of Mr. Vincent,

No. 1, S., a bill relating to the interest of money,

Was taken from the table

And returned to the file of bills reported by a committee of the whole.

Mr. Bradley moved a call of the assembly.

Which was ordered.

And the roll having been called,

Messrs. Biddlecome, Bjornsen, Boyce, Cavney, Doran, Groot, Hemenway, Henning, Hulburt, Jenkins, Ladue, Lessey, Lowth, Murphy, Perkins, Price, Tompkins, Walker and Wilson

Were absent,

The sergeant-at-arms was despatched to procure the attendance of absent members.

And pending his report,

On motion of Mr. Tregaskis,

Further proceedings under the call were dispensed with.

Bills reported by a committee of the whole,

Being under consideration,

Pending the question on ordering the engrossment for a third reading of bill

No. 221, *a.*, a bill submitting the question of a division of Grant county to a vote of the people.

Mr. Biddlecome moved that the further consideration of said bill be indefinitely postponed.

Which was disagreed to,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Biddlecome, Bird, Boyce, Bradley, Cavney, Doran, Eastman, French, Fuller, Gifford, H. Johnson, Kinney, Osborne, Rogan, Snover, Spooner, Tompkins, Van Vliet, Walker, Wilson, Wing and Horn (speaker)—22.

Those who voted in the negative were,

Messrs. Bannister, Barnett, Bjornsen, Briggs, Chase, Clothier, Cole, Cone, Dick, Easton, Estabrook, Everly, Groot, Hale, Hemenway, Hulburt, Jenkins, J. B. Johnson, Jones, Julius, Malmros, Moore, Muzzy, Olmstead, Perkins, Ray, Seaver, Smith, Stock, Tinker, Tohl, Tregaskis, Vincent, Waldo and Whitton—35,

The question recurring on ordering said bill to be engrossed for a third reading,

On motion of Mr. Biddlecome,

The further consideration of said bill was postponed until to-morrow.

A message from the senate, by William Hull, Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that senate has passed

No. 57, S., a bill to authorize the aldermen of the third ward of the city of Milwaukee, to pave certain streets in said ward,

In which the concurrence of the assembly is requested.

Pending the question on ordering said bill no. 1, S. to be read a third time,

Mr. Bird moved to amend the bill by inserting the word "paper," before the word "money," wherever the word "money" occurs.

Which was disagreed to.

Mr. H. Johnson moved that section 3 of said bill be stricken out.

Which was disagreed to.

Mr. Biddlecome moved to amend the bill by striking from the fourth line, of the third section, the word "treble."

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs, Biddlecome, Bird, Bradley, Briggs, Chase, Cole, Dick, Doran, French, Fuller, H. Johnson, J. B. Johnson, Jones, Julius, Malmros, Moorman, Olmstead, Perkins, Price, Rodolf, Wilson and Horn (speaker)—22.

Those who voted in the negative were,

Messrs. Barnett, Bjornsen, Boyce, Cavney, Clothier, Cone, Eastman, Easton, Estabrook, Everly, Gifford, Groot, Hale, Hemenway, Hulburt, Jenkins, Kinney, Ladue, Lessey, Lowth, Moore, Murphy, Muzzy, Osborne, Ray, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, and Wing—42.

Mr. Biddlecome moved further to amend the bill, by striking from the fourth section the words "except bottomry and respondentia bonds and contracts."

Which was disagreed to.

Mr. Jenkins called for the previous question,

Which was ordered,

And the question, "shall the main question be now put?"

Was decided in the affirmative.

The question on ordering said bill to be read a third time,

Was then put,

And the ayes and noes having been called for and ordered,

Thnse who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Cavney, Clothier, Cone, Dick, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Kinney, Ladue, Lessey, Lowth, Moore, Murphy, Muzzy, Osborne, Ray, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tohl, Tompkins. Tregaskis, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton and Wing,—47.

Those who voted in the negative, were

Messrs Bradley, Briggs, Chase, Doran, J. B. Johnson, Jones, Julius, Malmros, Moorman, Olmstead, Perkins, Price, Rodolf Wilson and Horn (speaker)—17.

Mr. Estabrook, moved that the rules be suspended, and that said bill be read a third time now,

And pending the question on agreeing to said motion,

Mr. Horn, moved that the assembly adjourn, until seven o'clock, P. M.

Which was disagreed to.

The question recurring on agreeing to said motion to suspend the rules,

It was decided in the affirmative,

And said bill was read a 3d time, passed,

And the title agreed to.

Mr. Spooner, introduced the following resolution:

Resolved, the senate concurring, That the President of the

Senate and the Speaker of the Assembly. be, and they are hereby directed to withhold their respective official signatures from an act entitled "an act granting preemption rights to settlers upon the even numbered sections of land on the Fox river reserve," passed during the present session of the legislature,

And the rules having first been suspended for the purpose,

Said resolution was considered and adopted.

The bills reported today as correatly enrolled, except the bill "granting pre-emption rights to settlers upon the even-numbered sections of land on the Fox river reserve,"

Were severally signed by the speaker,

And thereupon transmitted to the senate.

Mr. J. B. Johnson from the committee on enrollments, submitted the following report:

The committee on enrolled bills have presented to his Excellency the Governor for his approval

s. An act to amend section two, of chapter one hundred and eight, of the revised statutes,

a. An act to provide for the reappraisal and sale of the University lands and for granting pre-emption rights thereon,

a. An act to prevent the killing of deer in certain months of the year,

a. An act to incorporate the village of Manitowoc in the county of Manitowoc,

a. An act to repeal chapter eighty six title 22, part third of the revised statutes,

a. An act to amend section fifty six of chapter, 16 of the revised statutes,

a. An act in relation to insurance on lives and for the benefit of married women and other persons,

a. An act to amend chapter nineteen of title seven part first of the revised statutes,

s. An act to appropriate to C. Clement the sum of money therein named,

s. An act, to appropriate to Timothy Burns the sum therein named,

s. An act to appropriate to Thomas Bullen the sum of money therein named,

s. An act to vacate a portian of the plat of the village of Darlington in the county of Lafayette,

s. An act to appropriate Jhhn W. Hunt the sum of money therein named,

s. An act authorizing the construction of wharves in the city of Milwaukee,

s. An act to incorporate the Fox and Wisconsin river plank road company,

s. An act to amend chapter 65 section 17 of the revised statutes, providing for the sale of lands by administrators, executors and guardians,

J. B. JOHNSON.

On motion of Mr. Spooner,

The Assembly adjourned until half past seven o'clock, P. M.

7½ O'Clock, P. M,

Mr. Doran introduced the following resolution :

Resolved, by the assembly, (the senate concurring,) that so much of the joint resolution adopted on the 24th ultimo, as provides for an adiournment of the legislature on the 10th instant, be and the same is hereby rescinded.

The assembly then resolved itself into committee of the whole for the consideration of the special order of the evening, to wit : bill

No. 299, *a.*, a bill providing for the apportionment of the

No. 299, *a.*, a bill providing for the apportionment of the members of the senate and assembly of this state.

Mr. Doran in the chair.

And after some time spent therein,

The committee rose and, by their chairman, reported the said bill,

With amendments.

The report of the committee of whole being under consideration,

And the question being on concurring in the amendments of the committee to said bill;

The 1st, 2d, 3d and 5th of the said amendments,

Were severally non-concurred in.

The 4th of said amendments by which it was proposed to amend the first section of the bill, by changing so as to make the 13th senate district the 24th, and the 24th the 13th;

Was concurred in.

The question then being on ordering said bill to be engrossed for a third reading,

Mr. Moore moved to amend the bill by changing the numbering of the senate districts of Washington county so that the 11th would stand as the 22d and the 22d as the 11th;

Which was agreed to.

Mr. Wilson moved to further amend, so that the 4th and 5th wards of the city of Milwaukee would constitute an assembly district;

Which was disagreed to.

Mr. Moore moved to further amend so that the towns of Newton, West Bend, Kewaskum, Newark, Wayne and Addison in the county of Washington would constitute an assembly district;

The towns of Port Washington, Sacville, Fredonia and Belgium in said county would constitute an assembly district;

Which was agreed to.

Mr. Wilson moved to further amend by adding the town

of Wauwatosa to the assembly district formed of the 4th ward of the city of Milwaukee;

Which was disagreed to.

Mr. Fuller called for the previous question,

Which was ordered,

And the question, "Shall the main question be now put?"

Was decided in the affirmative.

The question on ordering said bill to be engrossed for a third reading,

Was then put,

And decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Dick, Doran, Eastman, Easton, Estabrook, French, Hale, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Ladue, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rogan, Smith, Snover, Spooner, Stock, Tinker, Utley, Van Vliet, Vincent, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—51.

Those who voted in the negative, were

Messrs. Clothier, Cone, Everly, Fuller, Gifford, Groot, Heminway, Kinney, Seaver and Tompkins—10.

Mr. Lowth moved that the rules be suspended and that said bill be read a third time now.

Pending the question on said motion,

Mr. Gifford moved that the assembly adjourn,

Which was disagreed to.

The question recurring on suspending the rules,

It was decided in the affirmative.

Said bill was read a third time,

And pending the question on its passage,

Mr. Tompkins moved that the bill be re-committed to the committee on senate and assembly apportionment;

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Cavney, Cole, Dick, Doran, Groot, Hale, Kinney, Ladue, Murphy, Olmstead, Seaver, Stock, Tinker, Tompkins, Van Vliet, Vincent, Whitton, Wilson and Horn (speaker)—20.

Those who voted in the negative, were

Messrs. Barnett, Biddlecome, Bjornsen, Boyce, Bradley, Briggs, Chase, Clothier, Cone, Eastman, Easton, Estabrook, French, Fuller, Gifford, Heminway, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Lowth, Malmros, Moore, Moorman, Muzzy, Osborne, Perkins, Price, Ray, Rodolf, Rogan, Snover, Spooner, Utley, Waldo, Walker and Wing—39.

The question recurring on the passage of the bill,

It was put,

And decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Chase, Cole, Dick, Eastman, Easton, Estabrook, French, Hale, Henning, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Ladue, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Ray, Rodolf, Rogan, Snover, Spooner, Stock, Tinker, Utley, Waldo, Walker, Wing and Horn (speaker)—45.

Those who voted in the negative, were

Messrs. Cavney, Clothier, Cone, Doran, Fuller, Gifford, Groot, Heminway, Kinney, Seaver, Tompkins, Van Vliet, Vincent and Wilson—14.

The title of the bill was agreed to.

On motion of Mr. Clothier,

The assembly adjourned.

FRIDAY, March 7th, 9½ A. M

Prayer by the Rev. Mr. Lattin.

Pending the reading of the journal of yesterday,

On motion of Mr. Vincent,

The further reading thereof was dispensed with.

The resolution introduced last evening relative to the joint resolution as to an adjournment of the legislature,

Was adopted.

Mr. Chase, on leave granted, introduced bill

No. 365, *a.*, a bill to pay the expenses of the legislature for the year 1851.

Which was read the first and second time.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed bills

No. 187, *a.*, a bill to incorporate the North Western Art Union.

No. 238, *a.*, a bill to authorize the construction of a dam across the Baraboo river.

No. 245, *a.*, a bill for the relief of school district no. 2, in the town of Richmond in the county of Richland ;

No. 288, *a.*, a bill relating to the "Swamp Lands."

No. 300, *a.*, a bill granting to Henry Kingsbury the right to keep and maintain a ferry across the Wisconsin river at the Table Rock in the county of Adams.

No. 302, *a.*, a bill to authorize the construction of a bridge across Fox river at Twiggs Landing.

No. 303, *a.*, a bill appropriating to Darwin Clark the sum therein named.

No. 304, *a.*, a bill appropriating to the county of Rock the sum therein named.

No. 314, *a.*, a bill to provide for raising a tax in Union

School district composed of districts nos. 5, 7, and 8, in the towns of Porter, Union and Dunkirk.

And

No. 314, *a.*, a bill for the relief of school district no. 4, of the town of Janesville and Harmony, in Rock county.

Mr. Rodolf, from the committee on town and county organization, to whom the same was referred, reported back bill

No. 311, *a.*, a bill to vacate a part of the plat of the village of Sheboygan.

Without amendment.

And recommended its passage.

Mr. Rogan, from the committee on claims, to whom the same was referred, reported back bill

No. 307, *a.*, a bill to appropriate to W. H. Sadd the sum therein named :

Without amendment.

And recommended its passage.

And also from same committee reported bill

No. 366, *a.*, a bill to appropriate to J. H. Lewis, the sum therein named.

Which was read the first and second time.

Mr. Barnett, from the committee on charitable and religious institutions, to whom was referred bill

No. 276, *a.*, a bill relating to the suppression of the sale of ardent spirits, and submitting the question of dram-drinking or no dram-drinking to the people.

Also sundry petitions relating to the suppression of the sale of ardent spirits,

Reported said bill back without amendment, together with the petitions.

And the same were laid on the table.

Mr. Tohl, from the committee on roads and bridges, to whom the same were referred, reported back bills

No. 65, S., a bill to repeal a part of an act entitled "an act to incorporate the Wisconsin bridge company."

And

No. 364, *a.*, a bill to vacate part of the territorial road in Dodge county, surveyed by Victor Adams, under the direction of Isaac Noyes and Benjamin Clauson, commissioners, and established by an act of the territorial legislature, approved February 22d, 1845.

Without amendment.

Recommending their passage.

Mr. Biddlecome, from the majority of the judiciary committee, submitted a report in relation to bill

No. 14, *a.*, a bill to limit the quantity of land hereafter to be held or owned by any one person,

Against its passage, as being in its provisions both unconstitutional and inexpedient.

Mr. Estabrook, from the minority of said committee, reported in favor of the constitutionality of said bill, but against the expediency of its passage at this time.

And recommended that the bill be laid on the table.

Mr. Wilson moved that 500 copies of each of said reports be printed.

Which was agreed to,

Said bill was read a third time,

And pending the question on its passage.

Mr. Jenkins moved that the bill be laid on the table.

Which was disagreed to.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative, were

Messrs. Bjornsen, Cavney, Cole, Dick, Easton, Estabrook, Everly, Henning, Hulburt, Jenkins, Julius, Kinney, Lowth, Osborne, Price, Ray, Seaver, Snover, Spooner, Stock, Tohl, Utley, Van Vliet, and Whitton—24.

Those who voted in the negative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Boyce, Bradley, Briggs, Chase, Clothier, Cone, Doran, Eastman, French, Fuller, Gifford, Groot, Hale, Hemenway, H. Johnson, J. B. Johnson, Jones, Ladue, Lessey, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Rodolf, Rogan, Smith,

Tinker, Tompkins, Tregaskis, Vincent, Waldo, Walker, Wilson, Wing and Horn (speaker)—42,

The question recurring on the passage of said bill,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barnett, Bjornsen, Bradley, Cavney, Dick, Easton, Estabrook, Everly, Gifford, Groot, Hale, Henning, Jenkins, Julius, Lowth, Moorman, Muzzy, Price, Ray, Snover, Tinker, Tohl, Tompkins, Utley, Vincent, Whitton and Wilson—27.

Those who voted in the negative, were

Messrs. Bannister, Biddlecome, Bird, Boyce, Briggs, Chase, Clothier, Cole, Cone, Doran, Eastman, French, Fuller, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Malmros, Moore, Murphy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Seaver, Smith, Spooner, Stock, Tregaskis, Van Vliet, Waldo, Walker, Wing, and Horn (speaker)—39.

Said bill was laid on the table.

Mr. Walker moved that 500 copies of the said bill be printed in connection with the said reports, ordered to be printed.

Pending the question on agreeing to said motion,

Mr. Estabrook moved to amend the motion by including in the order to print, the printing of the votes on the motion to lay the said bill on the table, and also, the vote on the question of its passage.

And pending the question on agreeing to the said motion to amend.

Mr. Muzzy moved that the said motion to print with the pending amendment,

Be laid on the table.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Biddlecome, Boyce, Bradley, Briggs, Chase, Cloth-

ier, Cole, Cone, Dick, Eastman, Fuller, Hale, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Malmros, Murphy, Muzzy, Perkins, Rogan, Seaver, Spooner, Tohl, Tregaskis, Van Vliet and Wing—32.

Those who voted in the negative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Cavney, Doran, Easton, Estabrook, Everly, French, Gifford, Groot, Jenkins, Julius' Moorman, Olmstead, Osborne, Price, Ray, Rodolf, Smith, Snover, Stock, Tinker, Tompkins, Utley, Vincent, Waldo, Walker, Whitton, Wilson and Horn (speaker) —33.

The question recurring on the said amendments to the motion to print said bill,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Cavney, Cole, Easton, Estabrook, Everly, French, Gifford, Groot, Hale, Hemenway, Henning, Jenkins, Julius, Moorman, Olmstead, Osborne, Price, Ray, Rodolf, Snover, Stock, Tinker, Tompkins, Utley, Vincent and Whitton—30.

Those who voted in the negative were,

Messrs. Biddlecome, Boyce, Bradley, Briggs, Chase, Clothier, Cone, Dick, Doran, Eastman, Fuller, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Murphy, Muzzy, Perkins, Rogan, Seaver, Smith, Spooner, Tohl, Tregaskis, Van Vliet, Waldo, Walker, Wilson, Wing, and Horn (speaker)—36.

The question then recurring on the motion to print said bill,

Mr. Ladue moved that said motion be laid on the table.

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Chase, Clothier, Cole, Cone, Dick,

Doran, Eastman, Fuller, Hale, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Murphy, Muzzy, Osborne, Perkins, Rodolf, Rogan, Seaver, Snover, Spooner, Tohl, Tregaskis, Van Vliet, Wing and Horn, (Speaker)—42.

Those who voted in the negative, were

Messrs. Cavney, Easton, Estabrook, Everly, French, Gifford, Groot, Henning, Jenkins, Julius, Moorman, Olmstead, Price, Ray, Smith, Stock, Tinker, Tompkins, Utley, Vincent, Waldo, Walker, Whitton, and Wilson,—24.

Mr. Ladue moved that the vote by which the assembly ordered 500 copies of the said reports of said bill, to be printed,

Be reconsidered,

Which was agreed to,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs, Bannister, Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cone, Dick, Doran, Eastman, French, Fuller, Hale, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Murphy, Muzzy, Olmsted, Perkins, Rodolf, Rogan, Seaver, Smith, Spooner, Tohl, Tregaskis, Van Vliet, Waldo, Walker, and Horn, (Speaker)—41,

Those who voted in the negative, were

Messrs Cavney, Clothier, Cole, Easton, Estabrook, Everly, Gifford, Groot, Henning, Jenkins, Julius, Moorman, Price, Ray, Snover, Stock, Tinker, Tompkins, Utley, Vincent, Whitton, Wilson and Wing—13.

The question then being on agreeing to the said motion to print 500 copies of said reports,

Mr. Spooner moved that the said motion be laid on the table,

Which was agreed to,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Biddlecome, Bird, Boyce, Bradley, Briggs, Cone, Dick, Doran, Eastman, French, Fuller, Hale, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Murphy, Muzzy, Olmstead, Perkins, Rodolf, Rogan, Seaver, Smith, Spooner, Tohl, Tregaskis, Van Vliet, Waldo, Wing and Horn, (Speaker)—40.

Those who voted in the negative, were

Messrs Bjornsen, Cavney, Clothier, Cole, Easton, Estabrook, Everly, Gifford, Groot, Henning, Jenkins, Julius, Moorman, Price, Ray, Snover, Stock, Tinker, Tompkins, Utley, Vincent, Walker, Whitton and Wilson—24.

A message from the senate, by Wm. Hull, Esq., their chief clerk:

Mr. Speaker:

I am directed to inform you that Senate has concurred in the amendments of assembly to

No. 99, S., a bill to incorporate the Milwaukee and Watertown railroad company,

And in the passage of

No. 233, *a.*, a bill to appropriate to Volney French, the sum therein named,

No. 207, *a.*, a bill to amend chapter 102 of the revised statutes,

No. 127, *a.*, a bill for the relief of the town of Pleasant Spring, in Dane county;

No. 128, *a.*, a bill to appropriate to J. Quintus the sum therein named,

No. 123, *a.*, a bill to appropriate to J. P. Whitney the sum therein named,

No. 163, *a.*, a bill to attach, certain territory therein named to the town of Bloomingdale,

No. 212, *a.*, a bill to establish the Cascade Academy,

No. 222, *a.*, a bill to authorize Ebenezer Dakin to build a dam across White river,

No. 236, *a.*, a bill to change the name of the town of Pike, in Kenosha county, to "Somers,"

No. 248, a bill to amend an act entitled an act to incorporate the Port Washington, Horicon and Beaver Dam turnpike company approved March 11, A. D. 1848,

No. 122 *a.*, a bill to exempt certain persons from paying poll tax,

No. 124, *a.*, a bill to authorize the construction of a dam across the Peckatonica river, in Lafayette county;

No. 298, *a.*, a bill in relation to smelters,

No. 257, *a.*, a bill to authorize the people of a certain school district to build a school house.

No. 206, *a.*, a bill to amend sec. 8 chap. 5 of the revised statutes.

No. 211, *a.*, a bill to confer certain powers upon organized school districts, and for other purposes.

No. 199, *a.*, a bill to provide for the apportionment of school moneys, by town superintendents in towns bordering on the south line of the state.

No. 232, *a.*, a biil to appropriate to Grant county the sum of money therein named.

No. 166, *a.*, a bill to amend the charter of the Rock River Valley Union Railroad company.

No. 176, *a.*, a bill to provide for proving pre-emption rights, and to amend sec. 40 of chapter 24 of the revised statutes.

No. 185, *a.*, a bill to authorize the treasurer of school district no. 5 in the town, of Richfield in the county of Washington, to collect the delinquent tax list therein,

No. 133, *a.*, a bill to authorize the construction of a dam across the outlet of Long Pond in Fond du Lac county,

No. 194, *a.*, a bill for the relief of the town of Alto.

No. 151, *a.*, a bill to change the time for making assessments, and collections of taxes in the county of Portage,

No. 266, *a.*, a bill to change the name of the town of Plymouth,

No. 250, *a.*, a bill to authorize the construction of a dam across the Manitowoc river,

No. 253, *a.*, a bill to vacate a part of a street in the village of Omro,

No. 249, *a.*, a bill to authorize the trustees of the village of Sheboygan to borrow money,

No. 150, *a.*, a bill for the relief of Sheboygan county,

No. 273, A., a bill to incorporate the Rock river insurance company,

No. 287, *a.*, a bill to appropriate a certain sum of money to Charles Weed.

No. 141, *a.* bill granting to John Coumbs and Thomas Andrew the right to keep and maintain a ferry across the Wisconsin river in the town of Richwood in the county of Richland,

No. 180, *a.*, a bill to authorize Henry Thien and his associates to build a dam across the Milwaukee river.

No. 165, *a.*, a bill to amend sec. 16, chap. 134 of title 30, part 4 of the revised statutes.

No. 181, *a.*, a bill to authorize the draining or lowering of North lake in the town of Merton, county of Waukesha,

And

Mem. No. 7, *a.*, memorial to congress in relation to a mail route, and

Mem. no. 8, *a.*, memorial to congress asking for a mail route from the village of West Bend to the town of Wayne in the county of Washington,

Without amendment,

And has passed

No. 175, *a.*, a bill for laying out a state road in the counties of Marquette and Winnebago,

And.

No. 191, *a.*, a bill for the relief of the town of Green Bay,

With amendments,

In which the concurrence of the assembly is requested.

And that senate has also passed

No. 195, S., a bill to authorize certain payments to be made to clerks of the circuit courts,

No. 245, S., a bill to authorize the laying out of state roads therein named,

No. 246, S., a bill to appropriate to J. C. Fairchild the sum therein named.

No. 215, S., a bill to appropriate a certain sum to pay the postage of the present session of the legislature,

And,

No. 225, S., a bill to incorporate the village of Baraboo,

In which I am further directed to ask the concurrence of the assembly.

The messages from the senate were taken up,

And the following bills, to wit:

No. 57, S., a bill to authorize the Aldermen of the third ward of the city of Milwaukee, to pave certain streets in said Ward,

No. 183, S., a bill to incorporate the Milwaukee and Wauwautosa plank road company,

No. 219, S., a bill to declare a certain street a public highway,

No. 222, S., a bill to incorporate the Wiota academy,

No. 235, S., a bill to incorporate the Delavan Branch road company,

And said bills no. 195, 215, 225, 245, 256, and 246, S.,

Were severally read a first and second time,

The amendments of the senate to said bills,

No. 97, *a.*, a bill to lay out a state road from the junction of the Madison and Verona state road to Wiota,

No. 102, *a.*, a bill to lay out a state road from the village of Madison in the county of Dane to the quarter stake on section, no. 36, town no. 9 north of range no. 2, east, in the county of Richland,

No. 138, *a.*, a bill for laying out of a state road in the county of Dodge.

No. 139, *a.*, a bill for laying out of a state road therein described,

No. 145, *a.*, a bill for laying out and establishing several state roads therein named,

No. 152, *a.*, a bill to lay out and establish a certain road therein named,

No. 153, *a.*, a bill to authorize the laying out of a state road therein named,

No. 154, *a.*, a bill to authorize the laying out of a state road therein named.

No. 140, *a.*, a bill for laying out a state road in the county of Marquette,

No. 256, *a.*, a bill to authorize the laying out of a state road therein named,

No. 261, *a.*, a bill to authorize certain state roads therein named,

No. 262, *a.*, a bill to authorize certain state roads therein named,

No. 263, *a.*, a bill to establish a state road,

No. 379, *a.*, a bill to authorize the laying out of a state road therein named,

No. 280, *a.*, a bill for a state road from Waupacca Falls in Winnebago county to Kewaunee, in Brown county,

No. 284, *a.*, a bill to lay out and establish a state road therein named,

And said bills no. 175, and no. 191 *a.*,

Were severally concurred in.

The first amendment of the senate to bill

No. 117, *a.*, a bill to authorize Henry J. Elliott and his associates to build and maintain a bridge across Fox river at Delhi, in the county of Winnebago,

Were concurred in,

The second amendment of the senate to said bill,

Was not concurred in,

On motion of Mr. J. B. Johnson,

No. 224, *a.*, a bill to submit the question of a division of Grant county, to a vote of the people,

Was taken from the table, and returned to the file of bills reported by committee of the whole.

The following bills, to wit,

Said bills no. 187, 238, 275, 288, 300, 303 and 311 *a.*,

Were severally read a third time, passed,

And the titles agreed to.

Said bill no. 313, *a.*, was read a third time,

And the question on its passage,

Was decided in the affirmative,

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Bradley, Briggs, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, French, Fuller, Groot, Hale, H. Johnson, J. B. Johnson, Jones, Ladue, Lessey, Lowth, Moore, Olmstead, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tohl, Tompkins, Tregaskis, Utley, Waldo, Walker, Whitton, Wing and Horn, (Speaker)—45.

None voted in the negative.

The title of the bill was agreed to.

Said bill no. 304 *a.*, was read a 3d time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Bradley, Briggs, Clothier, Cole, Cone, Dick, Doran, Eastman, French, Fuller, Groot, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Ladue, Lessey, Lowth, Moore. Moorman, Murphy, Muzzy, Olmstead, Perkins, Ray, Seaver, Smith, Snover, Stock, Tohl, Tompkins, Tregaskis, Utley, Waldo, Whitton, Wing and Horn (speaker)—43.

None voted in the negative.

The title of the bill was agreed to.

Said bill no. 302, *a.*, was read a third time.

And pending the question on its passage,

On motion of Mr. Barnett,

It was laid on the table.

No. 110, *a.*, a bill to appropriate funds for the benefit of the institution of the blind,

Was read a third time.

And pending the question on its passage,

On motion of Mr. Biddlecome,

Said bill was referred to a select committee, to wit: Messrs. Tompkins, Spooner, and J. B. Johnson.

A message in writing, from the Governor, by George P. Delaplaine, Esq., his private secretary.

EXECUTIVE DEPARTMENT,
Madison, March 5, 1851.

To the Assembly—

I have this day approved, signed and deposited in the office of the secretary of state the following entitled acts:

An act to incorporate the village of Manitowoc in the county of Manitowoc.

An act to amend section 56, of chapter 16, of the Revised Statutes.

An act in relation to insurance on lives and for the benefit of married women and other persons.

And

An act to amend chapter 19, of title 7, part 1st of the Revised Statutes.

NELSON DEWEY.

Bills reported by a committee of the whole being under consideration,

Said bill no. 221, *a*, was ordered to be engrossed and read a third time.

Pending the question on ordering the engrossment for a third reading of bill

No. 168, *a.*, a bill in relation to the improvement of the capitol.

Mr. Ray offered a substitute for said bill, and

On motion of Mr. Jenkins,

Said bill and substitute were laid on the table.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole for the consideration of bill

No. 1, *a.*, a bill to incorporate the city of Milwaukee,

Mr. H. Johnson in the chair.

And after some time spent therein,

The committee rose, and by their chairman reported said bill

With amendments.

The report of the committee of the whole being under consideration,

The amendments to said bill were concurred in.

Pending the question on ordering said bill no. 1, *a.*, to be engrossed for a third reading,

Mr. Spooner, moved to amend the bill in the 1st subdivision of sec. 17, by adding the following proviso :

Provided, That said common council shall not grant a license for a less sum than is specified in an act entitled "an act licensing the sale of intoxicating liquors," passed at this session of the legislature.

Which was agreed to.

Said bill was then ordered to be engrossed for a third reading.

On motion of Mr. Tinker,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

On motion of Mr. Chase,

The assembly resolved itself into committee of the whole, for the consideration of the file of the senate bills in which progress had been made by a former committee,

Mr. Doran in the chair.

And after some time spent therein,

The committee rose, and by their chairman reported bills

No. 121, S., a bill to authorize the laying out of a state road in Sauk county.

No. 122, S., a bill to provide for laying out a state road from Menasha to Plover Portage.

No. 123, S., a bill appropriating to Egbert P. Mosely the sum therein named.

No. 125, S., a bill to change the name of the village of Arena in the county of Iowa.

No. 129, *a.*, a bill to authorize Napoleon B. Millard and Augustus D. Bonesteel to build and maintain a dam across the Little Wolf river.

No. 132, *a.*, a bill in relation to insurance on property in the city of Kenosha, made by individuals and associations authorized by law.

No. 133, *a.*, a bill to pay Benton & Garfield the sum therein named.

No. 134, *a.*, a bill authorizing the Governor to enter into contract with Morgan L. Martin for the improvement of Fox river bottom, Lake Winnebago and Green Bay,

Without amendment,

And also reported progress on the said file of bills,

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bills no. 121, 123, 125, 129, 132, 133, 134, S.,

Were severally ordered to be read a third time.

Pending the question on ordering said bill no. 122, *a.*, to a third reading,

On motion of Mr. Jenkins,

Said bill was referred to the committee on claims.

Mr. Spooner moved that said bill no. 168, *a.*, be taken up.

Which was agreed to.

The question being on adopting the substitute to said bill, introduced to day by Mr. Ray,

Mr. Bradley moved to amend the same by striking out the clause appointing commissioners, and substituting therefor a provision for the appointment of such commissioners by the Governor.

Which was disagreed to.

Mr. J. B. Johnson, moved to amend the said substitute by an additional section as follows :

Sec. 7, The said improvement shall not be commenced until sufficient funds shall be raised from the sale of said lands to complete said improvement.

Which was agreed to.

Said substitute was then adopted,

And the bill was ordered to be engrossed for a third reading.

A message from the senate by William Hull Esq., their chief clerk ;

Mr. Speaker—

I am directed to inform you that senate has passed,

No. 129, *a.*, a bill to appropriate to Alex. F. Pratt the sum therein named,

Without amendment.

On motion of Mr. Biddlecome,

The assembly resolved itself into committee of the whole, for the further consideration of the file of senate bills in which progress had been reported by a former committee,

Mr. Doran in the chair.

And after some time spent therein,

The committee rose, and by their chairman reported bills.

No. 135, S., a bill to incorporate the Fond du Lac plank road company.

No. 138, S., a bill to incorporate the village of Delevan.

No. 144, S., a bill to appropriate to N. W. Dean the sum therein named.

No. 147, S., a bill to authorize the laying out of a state road therein named.

No. 150, S., a bill to amend chapter 19 of the Revised Statutes.

No. 152, S., a bill to appropriate to Cannon & Sadd the sum therein named.

No. 155, S., a bill to vacate a portion of the town plat of Wisconsin city, Rock county.

And

No. 196, S., a bill to incorporate the Hazle Green mining company,

Without amendment.

And also reported progress in the said file of bills.

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bills no. 135, 138, 147, 155, and 196, S., were severally ordered to be read a third time.

The rules were then suspended as to said bills,

And they were severally read a third time and passed,

And the titles agreed to.

On motion of Mr. J. B. Johnson,

Said bills no, 144, 145, and 152, S.,

Were referred to the committee on claims.

Pending the question on ordering said bill no. 150, S., to be read a third time,

Mr. Spooner moved that the enacting clause of said bill be stricken out.

Which was agreed to.

Mr. Bannister, from the committee on enrollments reported as correctly enrolled, bills

No. 1, S., a bill to limit the rate of interest.

No. 103, S., a bill to amend an act entitled "an act to incorporate the city of Kenosha," approved Feb. 8, 1850.

No. 105, S., a bill to extend the navigation of Fox river, and to provide for the improvement of the same above Fort Winnebago to Swan Lake.

No. 113, S., a bill to incorporate the fire department of the city of Kenosha.

No. 96, *a.*, a bill to provide for laying out certain state roads therein named.

No. 113, *a.*, a bill licensing the sale of intoxicating liquors.

No. 115, *a.*, a bill to appropriate to Alexander Mitchell a certain sum of money.

No. 116, *a.*, a bill to appropriate to Alexander Mitchell a certain sum of money.

No. 177, *a.*, a bill to establish a certain road therein named:

No. 275, *a.*, a bill to incorporate the Strongsville Seminary.

And

No, 285, *a.*, a bill to lay out and establish a state road therein described.

Said enrolled bills were severally signed by the speaker.

Mr. Bjornsen, from the committee on legislative expenditures, submitted a written report in relation to a claim of R. L. Ream, which had been referred to said committee, and also reported bills,

No. 367, *a.*, a bill to appropriate to R. L. Ream the sum therein named.

And

No. 368, *a.*, a bill to appropriate to Silas Chapman the sum therein named.

Which were severally read the first and second time.

Mr. Rogan moved that the rules be suspended for the purpose, and that bill

No. 363, *a.*, a bill for the relief of common schools in the county of Jefferson,

Be taken up and read a third time now.

Which was agreed to.

Said bill was read a third time, passed,

And the title agreed to.

On motion of Mr. Everly,

The assembly adiourned.

SATURDAY, March 8, 10 A. M.

Prayer by the Rev. Mr. Fox.

Pending the reading of the journal of yesterday,

On motion of Mr. Vincent,

The further reading thereof was dispensed with.

Mr. Chase presented the claim of King & Fuller.

Referred to committee on legislative expenditures.

Mr. Estabrook presented the account of Rounds & Co.;

Referred to same committee.

Mr. Briggs introduced the following resolution:

Resolved, That the use of this hall be, and hereby is granted to Miss Matthews on Monday evening next.

Mr. Spooner introduced the following preamble and resolution:

Whereas, By rejecting the bill making appropriations for the improvement of rivers and harbors, the late congress has refused to the Western States that great participation in those benefits which the General Government is constitutionally bound to extend equally to every section of the Union: Therefore,

Resolved, That such violation of the rights, and abandonment of the interests of a portion of the Union, receives our most marked reprehension; and that we hold each and every person and party who heretofore has, or hereafter shall, exhibit opposition to River and Harbor Improvements, as hostile to the interests and undeserving the confidence and support of the people of the west.

Mr. Henning, on leave granted, introduced bill

No. 269, *a.*, a bill to incorporate the St. Croix Boom company;

Which was read the first and second time.

On motion of Mr. Henning,

All rules were suspended for the purpose, and

Said bill was read a third time, passed,

And the title agreed to.

Mr. Tompkins, from the select committee to whom the same was referred, reported back bill

No. 110, *a.*, a bill to appropriate funds for the benefit of the Institution of the Blind;

With an amendment,

And recommended the passage of the bill.

The question being on the adoption of the report of the committee in relation to said bill,

The bill was returned to the files, under the XXIII rule.

Mr. Jenkins submitted the following

REPORT:

The select committee, consisting of the members of assembly from Milwaukee county, to whom were referred the petitions of citizens of the second ward of the city of Milwaukee, asking for the passage of a bill to divide said ward, have had the same under consideration, and have unanimonsly instructed me to report adverse to the prayer of said petitions.

CHAS. E. JENKINS, Ch'n.

Mr. Bannister, from the committee on enrollments, submitted the following

REPORT:

The committee on enrolled bills have presented to the Governor for his approval:

An act to establish a certain road therein named;

An act to lay out and establish a state road therein described;

An act to provide for laying out certain roads therein named;

An act to incorporate the Strongville Seminary;

An act licensing the sale of intoxicating liquors;

An act to appropriate to Aleqander Mitchell a certain sum of money;

An act to appropriate to Alexander Mitchell a certain sum of money;

An act to incorporate the Fire Department of the city of Kenosha;

An act to limit the rate of interest;

An act to amend an act entitled "an act to incorporate the city of Kenosha," approved February 8th, 1850;

And

An act to extend the navigation of Fox river, and to provide for the improvement of the same above Fort Winnebago to Swan Lake.

Mr. Bjornson, from the committee on legislative expenditures, to whom the same were referred, reported back bills:

No. 332, *a.*, a bill to appropriate a certain sum of money;

No. 350, *a.*, a bill to appropriate to Ole Torgerson the sum therein named;

And

No. 361, *a.*, a bill to pay Moritz Shoeffler the sum therein named;

Without amendment.

And recommended their passage.

And also from same committee, reported bills

No. 370, *a.*, a bill to appropriate to Waite and McLaughlin the sum therein named;

And

No. 371, *a.*, a bill to appropriate to James Densmore the sum therein named;

Which were severally read the first and second time.

Mr. Smith, from the select committee to whom the same was referred, reported back bill

No. 146, *a.*, a bill to divide the county of Iowa and Grant and to establish the county of Franklin;

Without amendment,

Recommending that it do not pass.

On motion of Mr. J. B. Johnson,

The report of the committee was adopted.

Mr. Biddlecome, from the minority of the judiciary committee, submitted a report in relation to the matter of laws restricting the rate of interest of money.

Ordered that 500 copies of said report be printed.

Mr. Rodolf, from the committee on town and county organization, to whom were referred sundry petitions and remonstrances on the subject of a division of Milwaukee county, reported the same back,

And recommended that no action be had upon the matter;

Which report was adopted.

Mr. Estabrook, from the committee on judiciary, to whom the same were referred, reported back bills

No. 81, S., a bill to amend sec. 213 of chapter 88 of the revised statutes;

And

No. 118, S., a bill to amend chapter 131, section 37 of the revised statutes;

Without amendment,

Recommending that said bills do not pass.

And bills

No. 228, *a.*, a bill to amend chapter 88 of the revised statutes.

Without amendment.

Recommending its passage.

And bills

No. 325, *a.*, a bill to change the name of the village of Jefferson in Grant county.

And

No. 272, *a.*, a bill to establish and organize a separate supreme court.

Asking to be discharged from their further consideration.

The committee was so discharged.

Mr. Malmros moved that the rules be suspended for the purpose, and that bill

No. 302, *a.*, a bill to authorize the construction of a bridge across Fox river at Twiggs Landing.

Be taken from the table for further consideration,

Which was not agreed to.

The following bills, to wit:

No. 121, S., a bill to authorize the laying out of a state road in Sauk county.

No. 122, S., a bill to provide for laying out a state road from Menasha to Plover Portage.

No. 125, S., a bill to change the name of the village of Arena in the county of Iowa.

No. 129, *a.*, a bill to authorize Napoleon B. Willard and Augustus D. Bonesteel to build and maintain a dam across the Little Wolf river.

No. 132, *a.*, a bill in relation to insurance on property in the city of Kenosha, made by individuals and associations authorized by law.

No. 133, *a.*, a bill to pay Benton and Garfield the sum therein named.

No. 134, *a.*, a bill to authorize the Governor to enter into contract with Morgan L. Martin for the improvement of Fox river bottom, Lake Winnebago and Green Bay.

And

No. 147, S., a bill to authorize the laying out of a state road therein named.

Were severally read a third time, passed,

And the titles agreed to.

Mr. Henning from the committee on engrossments, reported as correctly engrossed,

No. 1, *a.*, a bill to incorporate the city of Milwaukee.

Said bill was read a third time, passed,

And the title agreed to.

Mr. Spooner moved that the rules be suspended for the purpose, and that bill

No. 315, *a.*, a bill to legalize certain acts of the district board of school district no. 9, in the town of Eagle, Waukesha county;

Be read a third time now.

Which was agreed to.

And said bill was read a third time, passed;

And the title agreed to.

On motion of Mr. J. B. Johnson,

The rules were suspended, and memorials

No. 11, *a.*, a memorial to congress in relation to a mail route from Janesville, through Fulton, Cookville, Dunkirk, Bass Lake and Lake View. And

No. 12, *a.*, a memorial to congress for a grant of land to aid in the construction of the Fort Winnebago, Baraboo Valley and Minnesota railroad,

Were severally read a third time, passed,

And the titles agreed to,

On motion of Mr. Biddlecome,

The assembly resolved itself into committee of the whole, for the further consideration of the file of bills in which progress had been made by a former committee.

Mr. Spooner in the chair.

And after some time spent therein,

The committee rose and, by their chairman, reported bills:

No. 131, S., a bill relating to the duties of sheriffs, justices of the peace and constables.

No. 136, S., a bill to change the name of the town of Kaukalin in the county of Brown.

No. 141, S., a bill to appropriate Deming Fitch the sum therein named.

No. 142, S., a bill to appropriate Elisha Burdick the sum therein named.

No. 143, S., a bill to appropriate J. Kip Anderson the sum therein named.

No. 157, S., a bill to incorporate the Green Bay, Milwaukee and Chicago railroad company.

No. 161, S., a bill to provide for the election of supervisors in the city of Kenosha.

No. 162. S., a bill to authorize the construction of a bridge across Fox river at Grand Kaukalin.

No. 163, S., a bill to authorize the construction of a toll bridge across Fox river,

No. 165, S., a bill to incorporate the Fort Winnebago, Baraboo Valley and Minnesota Railroad company,

No. 166, S., a bill to legalize the acts of the clerk of the circuit court of Green county,

No. 167, S., a bill to authorize the laying out of a state road therein named.

No. 170, S., a bill to amend an act entitled "an act to incorporate the Milwaukee Mutual Fire Insurance Company,"

No. 171, S., a bill to provide for laying out and opening a state road from Battle Field to Coon Prairie in Bad Ax county,

No. 172, S., a bill to authorize the laying out of a state road therein named,

No. 173, S., a bill to authorize the laying out of a state road therein named,

No. 174, S., a bill to appropriate to Geo. Hyer, the sum therein named,

No. 175, S., a bill to amend sec. 9, of chap. 76, of the revised statutes,

Without amendment,

And bill

No. 168, S., a bill to authorize the laying out of a state road therein named,

With amendment.

The report of the committee of the whole being under consideration,

The amendments of the committee to said bill no. 168, S.,

Were concurred in,

And said bill was ordered to be read a third time.

Said bills no. 131, 136, 161, 162, 163, 165, 166, 167, 171, 172, 173, 174 and 175, S.,

Were severally ordered to be read a 3d time.

Said bill no. 170, S., was returned to the file of bills re-

ported by committee of the whole, under rule XXIII of the assembly,

On motion of Mr. Spooner,

Said bills no, 141, 142 and 143 S., containing appropriations of money,

Were referred to the committee on claims.

Mr. Briggs moved that the rules be suspended, and that bill

No. 344, *a.*, a bill to appropriate D. T. Dickson the sum therein named,

Be read a third time now,

Which was agreed to,

Said bill was read a third time,

And the question on its passage,

Was decided in the negative.

And the ayes and noes being required,

Those who voted in the affirmative, were

Messrs Biddlecome, Bird, Bjornsen, Briggs, Clothier, Doran, Gifford, Jenkins, Moorman, Olmstead, Perkins, Spooner, Utley and Walker—14.

Those who voted in the negative, were

Messrs Bannister, Barnett, Cavney, Chase, Cole, Cone, Dick, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Malmros, Moore, Murphy, Muzzy, Osborne, Rodolf, Rogan, Seaver, Smith, Snover, Stock, Tinker, Tompkins, Tregaskis, Van Vliet, Wilson, Wing and Horn, (speaker)—40.

Said bill was laid on the table.

A message from the senate, by Wm. Hull Esq, their chief clerk:

Mr. Speaker:

I am directed to inform you that Senate has passed,'

No. 216, *a.*, a bill to permit certain animals to run at large,

No. 162, *a.*, a bill to provide for the election of county treasurers and clerks of board of supervisors,

No. 250, *a.*, a bill for laying out a state road in the counties of Jefferson and Waukesha,

With amendments,

In which the concurrence of the assembly is requested,

And,

No. 217, *a.*, a bill declaring a certain road in the village of Hazle Green a public highway,

No. 227, *a.*, a bill to amend chapter 70 of the revised statutes,

No. 343, *a.*, a bill for the relief of common schools in the county of Jefferson,

No 230, *a.*, a bill to amend part first, title 3, chap. 10 sec. 28, of the revised statutes, giving the county board of supervisors power to vacate towns,

No. 256, *a.*, a bill to authorize the citizens of the village of Waucoma to build a meeting house on the public square of said village,

No. 258, *a.*, a bill providing for the manner in which the fees of sheriffs shall be paid in certain cases,

And,

No. 264, *a.*, a bill to amend section 28 of chapter 131, title 29, of the revised statutes,

Without amendments,

And that senate has passed,

No. 151, S., a bill to appropriate a certain sum of money,

And has adopted the following resolution,

Resolved, by the senate (the assembly concurring) that so much of the joint resolution as provides for an adjournment of the legislature on the tenth day of March, instant, be and the same is hereby rescinded, and it is further resolved, that the legislature shall adjourn sine die on the 17th day of March instant, at 7 o'clock a. m.

In which the concurrence of the assembly is requested,

On motion of Mr. Biddlecome,

The assembly resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Doran in the chair,

And after sometime spent therein, the committee rose and by their chairman reported bills,

No. 114, *a.*, a bill appropriating James Campbell the sum therein named,

No. 160, *a.*, a bill to protect prairie chickens and quails,

No. 179, *a.*, a bill to appropriate John C. Lewis, treasurer of Dodge county, the sum therein named,

And,

No. 265, *a.*, a bill for legalizing certain roads in the town of Kossuth in Columbia county,

Without amendment,

And bills,

No. 99, *a.*, a bill for the relief of those persons commonly called Seventh Day Baptists,

And

No. 142, *a.*, a bill to incorporate the Manitowoc and Mississippi railroad company,

With amendment,

And also reported progress on the said file of bills,

And asked leave to to sit again,

Leave was granted.

The report of the committee of the whole being under consideration,

The amendments of the committee to said bills no. 99, and 154, *a.*,

Were severally concurred in, and the said bills and also said bills no. 114, 179, and 265, *a.*,

Were severally ordered to be engrossed and read a third time,

The further consideration of said bill no. 160, *a.*, was postponed for the present, under rule 23, of the assembly.

On motion of Mr. Lowth,

The rules were suspended, and said bill no. 179, *a.*, was read a third time,

The question on its passage,

Was decided in the affirmative,

Those who voted in the affirmative, were

Messrs, Barnett, Biddlecome, Bird, Bjornsen, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly. French, Fuller, Groot, Hale, Hemenway, Henning, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Olmstead, Osborne, Perkins, Price, Ray, Rogan, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Tregaskis, Utley, Waldo, Walker, Whitton, Wilson and Wing—55.

Mr. Rodolf voted in the negative—1.

The title of the bill was agreed to.

A message from the Governor, in writing, by George P. Delaplaine Esq., private secretary :

EXECUTIVE DEPARTMENT,
MADISON, March 6, 1851.

To the Assembly :

I return, without my approval, a bill entitled, "an act to repeal chapter eighty six, title twenty two, part third of the revised statutes," to the assembly, in which it originated.

The constitution vests the judicial power of a state in a supreme court, circuit courts, courts of probate and justices of the peace, and such municipal and inferior courts, as the legislature may establish with prescribed jurisdiction.

It is also provided by that instrument in the 14th section of the 7th article, "that the legislature shall have power to abolish the office of judge of probate in any county, and confer probate powers upon such inferior courts as may be established in said county."

In pursuance of this power to create inferior courts, and abolish the office of judge of probate, the legislature did, at its session in 1849, by the chapter of the revised statutes proposed to be repealed by the bill under consideration, abolish the office of Judge of probate, create an inferior court in each ju-

dicial county, styled the county court, and confer probate powers upon such inferior court.

This bill proposes to abolish the county court thus created, re-establish the office of Judge of Probate, and legislate the judges of that court out of office.

Upon this state of facts an important question arises, whether this bill does not conflict with the constitution.

The power to abolish the office of judge of probate, is expressly granted by the constitution to the legislature; but the power to re-create the office established, exists only by implication or inference, or as incident to the power to abolish. In my opinion, this power to re-create does not exist, although I am not fully satisfied that my view is correct. It is a question of constitutional power upon which strong arguments may be adduced both for and against its existence; but the time allotted to the executive, is too limited for a full examination and discussion of it here. As this bill proposes a highly important change in the judicial policy of the state, it is sufficient for me to withhold my approval, that a reasonable doubt exists as to its constitutionality.

Again, the right to legislate judicial officers out of their offices, unless expressly granted by the constitution, was not vested in the legislature, but on the contrary, that instrument intended to place the tenure, whence once fixed, of the judicial officers of the state, beyond the reach of legislation.

These two constitutional questions are presented against the passage of this bill, and, in the event of its becoming a law, should it be hereafter judicially determined, by the superior tribunals, to contravene the fundamental law, that portion of our judicial proceedings connected with probate matters, would be placed in great confusion, and productive of endless litigation. Such a state of things is to be deprecated, and should be avoided, and I maintain that the organization of our judicial tribunals should be brought within the clear purview of the constitution, beyond a cavil or doubt.

The apparent object of this bill is to transfer the common law jurisdiction of the county court to the circuit court. This object could be accomplished without a constitutional doubt by the passage of a law to that effect, leaving the county court, in other respects, as now organized. If I am correct as to the objects of this bill, this course is recommended to be pursued.

For the reasons stated, I object to the passage of this bill into a law.

(Signed) NELSON DEWEY.

Mr. Wilson moved that the motion to print the majority and minority reports in relation to bill

No. 14, *a.*, a bill to limit the quantity of land hereafter to be held or owned by any one person.

Which motion was laid on the table yesterday.

Be taken up for further consideration.

Pending the question on agreeing to said motion,

The assembly adjourned until 3 o'clock P. M.

THREE O'CLOCK, P M.

Mr. Biddlecome, (speaker pro tempore.) having stated the pending question,

Mr. Tompkins moved a call of the assembly.

The roll was called, and

Messrs. Bradley, Estabrook, French, Gifford Hemenway, Hulburt, Jenkins, J. B. Johnson, Lowth, Murphy, Perkins, Tregaskis, Van Vliet, and Walker,

Were absent.

Messrs. Hemenway, Hulburt, Perkins, Tregaskis, and Horn (speaker,)

Were excused.

The sergeant-at-arms was despatched to procure the attendance of the absentees.

And pending his report,

Mr. Chase moved that further proceedings under the call be dispensed with.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Biddlecome, Bird, Boyce, Briggs, Chase, Cone, Doran, Eastman, Fuller, H, Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Malmros, Moore, Olmstead, Price, Rodolf, Rogan, Smith, Spooner, Waldo, and Walker —26.

Those who voted in the negative, were.

Messrs. Barnett, Bjornsen, Cavney, Clothier, Cole, Dick, Easton, Everly Gifford, Groot, Hale, Henning, Julius, Moorman, Muzzy, Osborne, Ray, Seaver, Snover, Stock, Tinker, Tohl, Tompkins, Utley, Vincent, Whitton, Wilson, and Wing —28.

On motion of Mr. Ray,

The vote by which the assembly refused to dispense with further proceedings under the said call,

Was reconsidered.

And the question on the motion to dispense with further proceedings under said call,

Was decided in the affirmative,

Mr. Rodolf called for the previous question.

Which was ordered.

And the question, "shall the main question be now put?"

Was decided in the affirmative.

The question being on taking from the table, for further consideration, the said motion to print,

It was put,

And decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Barnett, Biddlecome, Bird, Bjornsen, Bradley, Cavney, Clothier, Cole, Dick, Easton, Estabrook, Everly, Gifford, Groot, Hale, Henning, Jenkins, H. Johnson, Julius, Lowth, Moorman, Murphy, Muzzy, Osborne, Price, Ray, Seaver, Snover, Stock, Tinker, Tompkins, Utley, Vincent, Whitton and Wilson—35.

Those who voted in the negative, were

Messrs. Bannister, Boyce, Briggs, Chase, Cone, Doran, Eastman, French, Fuller, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Malmros, Moore, Olmstead, Rodolf, Rogan, Smith, Spooner, Tohl, Waldo, Walker and Wing—25.

The question then being on the motion to print 500 copies of said majority and minority report,

Mr. Jones called for the previous question.

The call was not seconded.

Mr. Briggs moved to amend said motion by adding, as follows:

"The instructions of the assembly to the judiciary committee, so to perfect bill no. 14, as to remove the constitutional objections to the same."

Also, by adding further, "500 copies of Mr. Wilson's report, on the introduction of the bill, all to be attached together."

Also, bill no. 14, as originally reported to the assembly.

Which was agreed to.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bjornsen, Briggs, Cavney, Doran, Easton, Estabrook, Everly, French, Gifford, Groot, Hale, Henning, Jenkins, H. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Moorman, Murphy, Muzzy, Osborne, Ray, Seaver, Snover, Stock, Tinker, Tompkins, Utley, Vincent, Walker, Whitton and Wilson—38.

Those who voted in the negative, were

Messrs. Boyce, Chase, Clothier, Cole, Cone, Dick, East-

man, Fuller, J. B. Johnson, Jones, Ladue, Moore, Olmstead, Rodolf, Rogan, Smith, Spooner, Tohl, Waldo, and Wing—20.

The said motion to print, as amended,

Was adopted.

Mr. Estabrook moved that the resolution received from the senate to-day, be taken from the senate message for consideration.

Which was agreed to.

And the question being on the adoption of the said resolution,

Mr. Chase moved to amend the same by striking out the date, "17th" and inserting in lieu thereof "13th."

Which was disagreed to.

The resolution was then adopted.

On motion of Mr. Jenkins,

The assembly adjourned.

MONDAY, March 10, 9½ A. M.

Prayer by the Rev. Mr. Lord.

Pending the reading of the journal of the 8th instant,

On motion of Mr. Barnett,

The further reading thereof was dispensed with,

On motion of Mr. Tinker,

Mr. Bjornsen had leave of absence for three days.

The following preamble and resolution, to wit:

Whereas, By rejecting the bill making appropriations for the improvement of rivers and harbors, the late congress has

refused to the Western States that great participation in those benefits which the General Government is constitutionally bound to extend equally to every section of the Union: Therefore,

Resolved, That such violation of the rights and abandonment of the interests of a portion of the Union receives our most marked reprehension, and that we hold each and every person and party who heretofore has, or hereafter shall, exhibit opposition to river and harbor improvement, as hostile to the interests, and undeserving the confidence and support of the people of the west.

Being under consideration,

And the question being on their adoption,

Mr. Walker moved that they be laid on the table,

Which was agreed to.

The resolution introduced on Saturday, proposing to grant the use of the hall to Miss Matthews "on Monday evening next."

Being under consideration,

It was amended so as to read for "this evening,"

And was then adopted.

Mr. Chase from, the committee on Medical Societies, to whom the same was referred, reported back bill

No. 25, *a.*, a bill to incorporate the Wisconsin State Medical Society,

Without amendment.

And asked to be discharged from the further consideration thereof.

The committee was so discharged.

Mr. Biddlecome moved that the vote by which the assembly refused to order the engrossment of bill

No. 213, *a.*, a bill to provide for the fees of sheriffs,

Be reconsidered,

Which was agreed to,

And the question being on ordering said bill to be engrossed and read a 3d time,

On motion of Mr. Biddlecome,

Said bill was referred to a select committee, to wit:

Messrs Biddlecome, Spooner and Doran.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed bills

No. 99, *a.*, a bill for the relief of those persons commonly called seventh day Baptists,

No. 114, *a.*, a bill to appropriate James Campbell the sum therein named,

No. 168, *a.*, a bill in relation to the improvement of the capitol,

No. 174, *a.*, a bill to levy a tax on dogs,

No. 221, *a.*, a bill to submit the question of a division of Grant county,

No. 268, *a.*, a bill for legalizing certain roads in the town of Kossuth in Columbia county,

And

No. 294, *a.*, a bill relative to the payment of notes or other evidence of debt, where no place of payment is fixed in the note or other evidence of debt, and where the debtor or payee is unable to ascertain the person who is the owner of the note or other evidence of debt.

Mr. Walker, on leave granted, introduced bill

No. 372, *a.*, a bill supplementary to "an act authorizing the collection and assessment of taxes in the city of Milwaukee," approved Jan, 24, 1851,

Which was read the 1st and 2d time.

The rules were suspended and said bill was then read a 3d time, passed,

And the title agreed to.

Mr. Jenkins, from the committee on incorporations, reported bill

No. 373, *a.*, a bill to incorporate the Delavan railroad company,

Which was read the 1st and 2d time.

Mr. Rodolf, from the committee on town and county organization, reported back

The petition of inhabitants of Taycheedah and Forrest, Fond du Lac county, relating to town organization,

Recommending that no action be had thereon,

Which report was adopted.

A message in writing, from the Governor, by George P. Delaplaine, Esq., his private secretary.

EXECUTIVE DEPARTMENT,
Madison, March 8, 1851.

To the Assembly—

The bill which originated in the assembly, entitled "an act "to provide for the re-appraisal and sale of the University "lands, and for granting pre-emption rights thereon," proposes to repeal the act of 1850, establishing the minimum price of these lands at ten dollars per acre, and provides for their re-appraisal, and fixes the minimum price at such re-appraisal value.

It is also provided in the second section, that all persons having a vested pre-emption under the act of April 2, 1849, may prove up the same between the 4th Tuesdays of June and July next, but does not give them the right to purchase the land pre-empted, at the minimum price under the act of 1849, which was the existing appraised value, but on the contrary, this bill creates a new minimum price (the re-appraisal value) to all the University lands now enrolled; which, if it exceeds the minimum price established by the act of 1849, will create the same difficulty in relation to their sale, that exists under the act of 1850, which fixes the lowest price of these lands at ten dollars per acre.

It is my opinion, that those persons who have a pre-emption under the act of 1849, have such a right, as can be enforced against the state, by the proper judicial tribunals, which is to purchase of the University lands to the extent secured by that act, at the then appraised value.

I therefore object to the passage of this bill, because it does not remove the difficulty created by the act of 1843.

This bill extends the right of pre-emption, both as to time and quantity of land, that a pre-emptor may purchase, and establishes the minimum price of the residue, not sold by pre-emption, at the re-appraised value, without regard to what that re-appraised value may be.

This I regard as an objectionable feature in this bill, if the prosperity of the institution for the benefit of which these lands were appropriated, is of any importance whatever. Many of these lands were by the former appraisal, valued at about one and a half dollars per acre, and some at even a less amount, and I presume that the increase in value since the appraisal, is small. By the provisions of this bill, the cost already incurred in the appraisal of the lands, amounting to nearly two thousand dollars, will be entirely lost to the University, and should it pass into a law, the aggregate amount, for which the seventy two sections of University land would sell, would not exceed one hundred and seventy five thousand dollars, making a principal fund, entirely inadequate to sustain, from its income, an institution of learning corresponding with the character and importance of our state. The increase of the fund of this institution should be sufficient to enable the state, to open its doors for instruction in its different departments of learning and science, free of all collegiate charges to all the youth of our state, that the poor and rich may alike become its inmates as students. They should all occupy the same platform of equality, not as objects of charity, but as men entitled to the advantage of education at the hands of their government. Such are the advantages, intended to be presented by the institution, when its income shall enable it to do so.

It is therefore deserving of the fostering care of the legislature; and the grant donated for its support, should be made to yield as large a principal fund as possible. The legisla-

tion necessary to secure this object, and protect individuals in rights vested under existing laws is

First—A repeal of the act of 1850 fixing the minimum price at ten dollars per acre.

Second—Authorizing the persons who have valid pre-emption rights under the act of 1849, to prove such rights, and to purchase the land to the extent of such rights, at the present appraised value, the minimum price under the act of 1849.

Third—To authorize a remittance to the purchasers of these lands by pre-emption, of the excess of purchase money, over and above the appraised value fixed as the minimum price under the act of 1849.

This legislative action will secure all individual rights, under existing laws, and husband the resources of the University.

I return this bill without my signature, for the objections stated. NELSON DEWEY.

The assembly proceeded to re-consider the vote by which they passed bill

No. 37, *a.*, a bill to repeal chapter 86, title 22 of the revised statutes;

Which was returned on the 8th instant by the Governor with objections to its passage.

The question, "shall this bill pass, notwithstanding the objections of the Governor?"

Was put,

And decided in the negative.

Those who voted in the affirmative, were

Messrs. Bannister, Biddlecome, Briggs, Clothier, Cone, Dick, Doran, Eastman, Easton, Estabrook, Everly, Fuller, Gifford, Hale, Hulburt, Jenkins, H. Johnson, Jones, Julius, Kinney, Lessey, Moore, Murphy, Osborne, Ray, Rodolf, Rogan, Seaver, Spooner, Stock, Tinker, Tohl, Tompkins, Utley, Vincent, Walker, Wing and Horn (speaker)—38.

Those who voted in the negative, were

Messrs. Bird, Bradley, Cavney, Chase, Cole, French, Groot,

Heminway, Henning, J. B. Johnson, Ladue, Malmros, Muzzy, Olmstead, Perkins, Price, Smith, Snover, Van Vliet, Waldo, Whitton and Wilson—23.

The message from the governor stating his objections to the passage of bill

No. 171, *a.*, a bill to provide for the appraisal and sale of the University lands, and for granting pre-emptions thereon,

Was read,

And the assembly procceeded to reconsider the vote by which they passed said bill.

The question, "shall this bill pass, notwithstanding the objections of the governor?"

Was put,

And decided in the negative.

Those who voted in the affirmative, were

Messrs. Bradley, Cavney, Clothier, Cole, Cone, Dick, Everly, Gifford, Groot, Hulburt, Lowth, Moore, Muzzy, Osborne, Rogan, Smith, Tinker, Utley and Waldo—19.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Briggs, Chase, Doran, Eastman, Easton, Estabrook, French, Fuller, Hale, Heminway, Henning, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Malmros, Murphy, Olmstead, Perkins, Price, Ray, Rodolf, Seaver, Snover, Spooner, Stock, Tohl, Tompkins, Van Vliet, Vincent, Walker, Whitton, Wilson, Wing and Horn (speaker)—43.

A message from the senate, by Wm. Hull, Esq., their chief clerk:

Mr. Speaker:—

I am directed to inform you that the senate have passed bill

No. 255, S., a bill to appropriate money to pay the per diem of members and the salaries of officers of the legislature;

In which the concurrence of the assembly is requested.

The messages from the senate were taken up and considered.

The amendments of the senate to the following bills, to wit:

No, 162, *a.*, a bill to provide for the election of county treasurers;

And

No. 250, *a.*, a bill for laying out a state road in the counties of Jefferson and Waukesha;

Were severally concurred in.

The first amendment of the senate to bill

No. 216, *a.*, a bill to permit certain animals to run at large;

Was concurred in.

And the second of said amendments (restricting the liberty of Old Bachelors,)

Was not concurred in.

The following bills, to wit:

No. 215, S., a bill to lay out a certain state road therein named,

And said bill no. 225, S.,

Were severally read the first and second time.

Mr. Biddlecome moved a suspension of rules for the further consideration now of said bill no. 225, S.,

Which was agreed to.

And the question being on ordering said bill to a third reading,

Mr. Biddlecome moved that the blank in the section of said bill containing an appropriation to the chief clerk of the assembly, be filled with the words "eleven hundred and five;"

Which was agreed to.

Said bill was then ordered to be read a third time.

Mr. Biddlecome from the select committee to whom the same was referred, reported back said bill no. 213, *a.*,

Without amendment.

And recommended its passage.

The following bills, to wit:

No. 131, S., a bill relating to the duties of sheriffs, justices of the peace and constables,

No. 136, S., a bill to change the name of the town of Kaukalin, in the county of Brown;

No. 161, S., a bill to provide for the election of supervisors, in the city of Kenosha;

No. 162, S., a bill to authorize the construction of a bridge across Fox river at Grand Kaukalin;

No. 163, S., a bill to authorize the construction of a bridge across Fox river;

No. 165, S., a bill to incorporate the Fort Winnebago, Baraboo Valley and Minnesota Rail Road company;

No. 166, S., a bill to legalize the acts of the circuit clerk of Green county.

No. 167, S., a bill to authorize the laying out of a state road therein named;

No. 168, S., a bill to authorize the laying out of a state road therein named;

No. 171, S., a bill to provide for laying out and opening of a state road from Battlefield to Coon Prairie, in Bad Ax county;

No. 172, S., a bill to authorize the laying out of a state road therein named;

No. 173, S., a bill to authorize the laying out of a state road therein named;

Were severally read a third time, passed, and the titles agreed to.

No. 133, S., a bill to pay Benton and Garfield the sum therein named;

Was read a third time,

And pending the question on its passage,

On motion of Mr. Price,

It was referred to the committee on claims.

No. 174, S., a bill to appropriate George Hyer the sum therein named;

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Boyce, Cavney, Chase, Clothier, Cole, Cone, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Muzzy, Olmstead, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Utley, Van Vliet, Walker, Whitton, Wilson, Wing and Horn (speaker)—53.

Messrs. Hale and Tohl voted in the negative—2.

The title was agreed to.

No. 175, S., a bill to amend sec. 9, of chap. 6, of the revised statutes:

Was read a third time,

And pending the question on its passage,

On motion of Mr. Estabrook,

Said bill was referred to committee on Judiciary.

The rules were suspended, and said bill no. 255, S.,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Malmros, Moore, Murphy, Muzzy, Perkins, Price, Ray, Rodolf, Rogan, Seaver, Smith, Snover, Spooner. Stock, Tinker, Utley, Van Vliet, Walker, Wing and Horn (speaker)—51.

Those who voted in the negative, were

Messrs. Lowth, Moorman, Olmstead, Tohl, Tompkins, Whitton and Wilson—7.

The title of the bill was agreed to.

The following bills, to wit:

No. 157, *a.*, a bill to amend an act concerning the fees of certain officers and other persons.

No. 228, *a.*, a bill to amend chapter 88 of the revised statutes.

And said bills no. 99, 168, 265 and 294, *a.*,

Were severally read a third time, passed, and the titles agreed to.

Said bill no. 114, *a.*, was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Biddlecome, Bird, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Henning, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Ray, Rodolf, Rogan, Seayer, Smith, Spooner, Stock, Tinker, Tompkins, Utley, Van Vliet, Walker, Whitton, Wilson, Wing and Horn (speaker)—54.

Those who voted in the negative were,

Messrs. Hulburt and Tohl—2.

The title was agreed to.

Said bill no. 174, *a.*, was read a third time.

And the question on its pasaage,

Was decided in the negative.

And the ayes and noes having been called for and ordered,

Tnose who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Boyce, Chase, Cone, Doran, Easton, Everly, Hale, Hemenway, Henning, Hulburt, H. Johnson, Jones, Kinney, Moorman, Muzzy, Perkins, Ray, Rogan, Smith, Snover, Tompkins, Utley, Van Vliet, Walker and Wing—28.

Those who voted in the negative, were

Messrs. Briggs, Cavney, Clothier, Cole, Eastman, Estabrook, French, Fuller, Groot, J. B. Johnson, Julius, Ladue, Lessey, Lowth, Malmros, Moore, Murphy, Olmstead, Price, Rodolf, Seaver, Spooner, Stock, Tinker, Tohl, Whitton, Wilson, and Horn (speaker)—28,

Said bill no. 221, *a.*, was read a third time.

And the question on its passage,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Briggs, Chase, Clothier, Cole, Cone, Dick, Eastman, Everly, Groot, Hemenway, Henning, Hulburt, Jenkins, J. B. Johnson, Jones, Lessey, Muzzy, Olmstead, Perkins, Price, Ray, Rogan, Seaver, Smith, Spooner, Stock, Tohl, Waldo and Whitton—30.

Those who voted in the negative were,

Messrs. Barnett, Biddlecome, Bird, Bradley, Cavney, Doran, Easton, French, Fuller, Gifford, Hale, H. Johnson, Julius, Kinney, Ladue, Lowth, Malmros, Moore, Murphy, Rodolf, Snover, Tompkins. Van Vliet, Walker, Wilson, Wing and Horn (speaker)—27.

The title of the bill was agreed to.

No. 110, *a.*, a bill to appropriate funds for the benefit of the institution of the blind,

Was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Boyce, Briggs, Chase, Cole, Cone, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Murphy, Muzzy, Perkins, Seaver, Smith, Snover, Spooner, Stock, Tompkins, Van Vliet, Waldo, Whitton, Wilson, Wing and Horn (speaker)—44.

Those who voted in the negative were,

Messrs. Cavney, Clothier, J. B. Johnson, Jones, Olmstead Price, Ray, and Rogan—8.

The title was agreed to.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled,

No. 112, *a.*, a bill to incorporate the Palmyra and Jefferson turnpike and plank road company,

No. 79, S., a bill to incorporate the Madison and Swan Lake rail road company.

No. 99, S., a bill to incorporate the Milwaukee and Watertown rail road company.

No. 12, S., a bill to authorize the laying out of a state road in Sauk county.

No. 129, S., a bill to authorize Napoleon B. Millard and A. D. Bonesteel to build and maintain a dam across Little Wolf river.

No. 132, S., a bill in relation to the insurance on property in the city of Kenosha, made by individuals and associations authorized by law.

No. 134, S., a bill to authorize the Governor to enter into contract with Morgan L. Martin, for the improvement of Fox river, between Lake Winnebago and Green Bay.

No. 155, S., a bill to vacate a part of the town plat of Wisconsin city, in Rock county.

No. 175, S., a bill to change the name of the village of Arena, county of Iowa.

No. 196, *a.*, a bill to incorporate the Hazle Green mining company.

No. 128, *a.*, a bill to appropriate to J. Quintus the sum therein named.

No. 131, *a.*, a bill to appropriate to James P. Whitney the sum therein named.

No. 153, *a.*, a bill to authorize the laying out of a state road therein named.

No. 127, *a.*, a bill for the relief of the town of Pleasant Spring, in Dane county.

No. 163, *a.*, a bill to attach certain territory therein named to the town of Bloomingdale.

No. 95, *a.*, a bill relating to the militia.

No, 236, *a.*, a bill to change the name of the town of Pike in Kenosha county, to Somers.

No. 122, *a.*, a bill to exempt certain persons from paying poll tax.

No. 185, *a.*, a bill to authorize the treasurer of school district no, 5, in the town of Richfield in the county of Washington, to collect delinquent taxes therein .

No. 141, *a.*, a bill granting to John Coumbes and Thomas Andrew the right to keep and maintain a ferry across the Menominee river in the town of Rushwood in the county of Richland.

No, 280, *a.*, a bill for laying out a state road therein named.

No. 248, *a.*, a bill to amend an act entitled an act to incorporate the Horicon and Beaver Dam turnpike company, approved March 11th, 1848.

No. 363, *a.*, a bill for the relief of common schools in the county of Sheboygan.

No. 273, *a.*, a bill to incorporate the Rock river Insurance company.

No. 145, *a.*, a bill to provide for laying out and establishing state roads therein named.

No. 151, *a.*, a bill to change the time for making assessments and collections of taxes in the county of Portage.

No. 263, *a.*, a bill to establish a state road therein described.

No. 240, *a.*, a bill for the laying out of a state road in the county of Marquette.

No. 152, *a.*, a bill to lay out and establish a certain road therein named.

No. 138, *a.*, a bill for laying out a state road in the county of Dodge.

No. 102, *a.*, a bill to lay out a state road from the village

of Madison in the county of Dane, to the 1-4 stake on section number 36, township number 9, north of range number 2 east, in the county of Richland.

No. 178, *a.*, a bill to provide for proving pre-emption rights and to amend section 40, of chapter 24, of the Revised Statutes.

No. 191, *a.*, a bill for the relief of the town of Green Bay.

No. 175, *a.*, a bill for laying out a state road in the counties of Winnebago and Marquette.

No. 287, *a.*, a bill to appropriate a certain sum of money to Charles Weed.

No. 246, *a.*, a bill to authorize the laying out of a state road therein named.

No. 233, *a.*, a bill to appropriate to Volney French the sum therein named.

No. 154, *a.*, a bill to authorize the laying out of a state road therein named.

No. 159, *a.*, a bill for the relief of Sheboygan county.

No. 253, *a.*, a bill to appropriate to Grant county the sum therein named.

No. 222, *a.*, a bill to authorize Ebenezer Dakin to build a dam across White river.

No. 194, *a.*, a bill for the relief of town of Alto.

No. 185, *a.*, a bill to amend section 16, chap. 134, title 30, part 4, of the Revised Statutes.

No. 298, *a.*, a bill in relation to smelters.

No. 139, *a.*, a bill for the laying out of a state road therein named.

No. 261, *a.*, a bill to authorize the laying out of a certain state road therein named.

No, 279, *a.*, a bill to authorize the laying out of a state road therein named.

No. 257, *a.*, a bill to amend chapter 102 of the Revised Statutes.

No. 155, *a.*, a bill to incorporate the Milwaukee and Lisbon plank road and turnpike company.

No. 211, *a.*, a bill to confer certain powers upon organized school districts, and other purposes.

No. 183, *a.*, a bill to authorize the construction of a dam across the outlet of long pond, in Fond du Lac county.

No. 97, *a.*, a bill to lay out a state road from the junction of the Madison and Verona state road to Wiota, in the county of Lafayette.

No. 266, *a.*, a bill to change the name of the town of Plymouth.

No. 253, *a.*, a bill to vacate a part of a street in the village of Omro.

No. 129, *a.*, a bill to appropriate to Alexander F. Pratt the sum therein named.

No. 166, *a.*, a bill to amend the charter of the Rockriver Valley Union rail road company.

No. 284, *a.*, a bill to lay out and establish a state road therein described.

No. 260, *a.*, a bill to authorize the construction of a dam across the Manitowoc river.

No. 262, *a.*, a bill to authorize certain state roads therein named.

No. 181, *a.*, a bill to authorize the draining or lowering of North Lake, in the town of Merton, county of Waukesha.

Said enrolled bills were severally signed by the speaker.

And together with those signed on Saturday, were thereupon transmitted to the senate.

Mr. Spooner, moved that memorial

No. 4, S., a memorial to Congress for the repeal or modification of the Fugitive Slave law,

Be made the special order for Tuesday evening next.

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Biddlecome, Bird, Bradley, Cavney, Clothier. Dick, Doran, Eastman, Easton, Everly, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. John-

son, Jones, Ladue, Lessey, Malmros, Moorman, Muzzy, Osborne, Perkins, Ray, Rodolf, Seaver. Smith, Snover, Spooner, Stock, Tohl, Van Vliet, Waldo, Walker, Wilson and Horn (speaker)—39.

Those who voted in the negative, were

Messrs. Briggs, Cole, Cone, French, Fuller, Gifford, Groot, Henning, Julius, Lowth, Moore, Murphy, Price, Rogan, Tompkins, Whitton, and Wing—17.

Mr. Whitton, from the committee on legislative expenditures, to whom the same was referred, reported back bill

No. 318, *a*,, a bill to appropriate to King & Fuller the sum of money therein named.

Without amendment.

And recommended its passage.

Mr. Lowth moved that the vote by which the assembly, refused to pass said bill no. 174, *a*.,

Be re-considered.

Which was agreed to.

The question then being on the passage of said bill,

It was decided in the affirmative,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were,

Messrs Bannister, Barnett, Biddlecome, Bird, Boyce, Chase, Cone, Dick, Doran, Easton, Everly, Gifford Hale, Hemenway, Henning, Hulburt, H. Johnson, Jones, Kinney, Moorman, Muzzy, Osborne, Perkins, Ray, Rogan, Smith, Snover, Tompkins, Van Vliet. Waldo, Walker and Wing—32.

Those who voted in the negative, were

Messrs Bradley, Briggs, Cavney, Clothier, Cole, Eastman, French, Fuller, Groot. J. B. Johnson, Julius, Ladue, Lessy, Lowth, Malmros, Moore, Murphy, Olmstead, Price, Rodolf, Seaver, Spooner, Stock, Tohl, Whitton, Wilson and Horn, (Speaker)—27.

The title was agreed.

Bills reported by a committee of the whole being under consideration,

Said bill no. 213, *a.*, was ordered to be engrossed and read a third time,

No. 81, S., a bill to amend section 213, of chapter 88 of the revised statutes,

Was ordered to be read a 3d time,

Pending the question on ordering to a 3d reading bill,

No. 118, S., a bill to amend chapter 131, section 37 of the revised statutes,

Mr. Jenkins moved that the further consideration of said bill be indefinitely postponed,

Which was agreed to.

No. 157, S., a bill to incorporate the Green Bay, Milwaukee and Chicago railroad company,

Was ordered to be read a 3d time,

Pending the question on ordering the engrossment for a 3d reading, of bill

No. 160, *a.*, a bill for the protection of prairie chickens and quails.

Mr. Rodolf moved to amend the said bill, by inserting in section 2, the words "except on his own enclosed premises," after the word "quails,"

Which was agreed to.

Mr. Fuller moved that said bill be laid on the table,

Which was disagreed to.

Mr. Boyce moved that the enacting clause of the bill be stricken out,

Which was disagreed to.

Mr. Jenkins moved that the vote by which the 1st amendment proposed to said bill, was disagreed to,

Be reconsidered;

Which was agreed to.

And the question then being on agreeing to said amendment,

Mr. H. Johnson, moved to amend the amendment by adding the words "and no person shall shoot such game at any season of the year except upon his own premises,"

And the question recurring on agreeing to said first amendment,

It was disagreed to:

The question recurring on ordering said bill to be engrossed for a third reading,

Mr. Utley moved to amend the bill by inserting in the enumeration of months therein, the word "February,"

Which was agreed to.

Mr. Chase moved further to amend the bill by inserting after the word "quails," the word "woodcock,"

Which was disagreed to.

Mr. Boyce moved further to amend, by striking out the words "prairie chickens,"

Which was disagreed to.

Mr. Rodolf moved further to amend by inserting after the word "quails," the words "blackbirds,"

Which was disagreed to.

The question on the engrossment of said bill for a third reading,

Was then put,

And decided in the affirmative.

A message from the Governor, in writing, by George P. Delaplaine Esq., private secretary:

EXECUTIVE DEPARTMENT,
MADISON, March 10, 1851.

To the Assembly:

Acts entitled as follows:

An act to appropriate to Alexander Mitchell a certain sum of money,

An act to establish a certain road therein named,

An act to appropriate to Alexander Mitchell a certain sum of money,

An act to lay out and establish a state road therein described,

An act to incorporate the Strongsville Seminary,

An act to provide for laying out certain roads therein named,

An act licensing the sale of intoxicating liquors,

Were on the 8th inst., approved and signed by me and deposited in the office of the secretary of state.

An act to prevent the killing of deer in certain months of the year.

Was this day approved and signed by me and deposited as aforesaid. (sig.) NELSON DEWEY.

Mr. Estabrook, from the Judiciary committee to whom the same were referred, reported back bills,

No. 164, S., a bill to provide for holding the terms of the circuit courts in the counties therein named,

And,

No. 175, S., a bill to amend sec. 9 of chapter 76 of the revised statutes.

Without amendment,

And recommended their passage.

On motion of Mr. Price,

The assembly adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

Mr. Rogan, from the committee on claims, to whom the same were referred reported back bills,

No. 123, S., a bill appropriating to Egbert Mosely the sum therein named,

No. 144, S., a bill to appropriate N. W. Dean the sum therein named,

No. 145, S. a bill to appropriate Lafayette Kellogg the sum therein named,

And

No. 152, S., a bill to appropriate to Cannon and Sadd the sum therein named,

Without amendment,

And recommended their passage.

Mr. Chase from the committee on Medical societies, to whom the same was referred reported back bill,

No. 158, *a.*, a bill to abolish flogging in schools,

Without amendment.

And submitted the following report in relation to said bill :

REPORT :

The committee on medical societies to which was referred no. 158, *a.*, file, a bill to abolish flogging in schools, have had the subject under consideration and beg leave to report

That they are unanimously of the opinion that the practice of inflicting corporeal punishment in school is very unwise, and productive of evil rather, than good. But as an enlightened public opinion is opposed to the practice, and as it is gradually falling into disuse, your committee are of the opinion that no legislative action is necessary and would respectfully report back the aforesaid bill and recommend no action thereon.

ENOCH CHASE,
H. C. HEMENWAY,
(Signed) M. S. BARNETT,
ALONZO WING,
JAMES TINKER.

Mr. Bird moved that bill

No. 215, S., a bill to appropriate a certain sum of money to pay the postage of the present session of the legislature,

Be taken from the general file of bills,

And referred to the committee on claims,

Which was agreed to.

Mr. Jenkins moved that the vote by which the assembly passed said bill no. 221 *a.*,

Be reconsidered,

Which was agreed to,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Biddlecome Bird, Boyce, Bradley, Cavney, Chase, Clothier, Cole, Dick, Doran, Easton Estabrook, Everly, French, Gifford, Hale, Jenkins, H. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Moorman, Murphy, Ray, Rodolf, Snover, Spooner, Stock, Tompkins, Waldo, Walker, Whitton and Wilson—37.

Those who voted in the negative, were

Messrs Briggs, Cone, Eastman, Fuller, Hemenway, Henning, Hulburt, J. B. Johnson, Jones, Ladue, Muzzy, Olmstead Perkins, Rogan, Seaver, Smith, Tinker, Van Vliet, Vincent and Horn, (Speaker)—20.

The question then being on the passage of said bill no. 222, *a.*,

It was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bird, Briggs, Chase, Clothier, Cole, Cone, Eastman, Everly, Hemenway, Henning, Hulburt, Jenkins, J. B. Johnson, Jones, Lessey, Muzzy, Olmstead, Perkins, Price, Ray, Rogan, Seaver, Smith, Spooner, Tinker, Tohl, Van Vliet, Vincent, Waldo and Whitton—30.

Those who voted in the negative, were

Messrs, Bannister, Barnett, Biddlecome, Boyce, Bradley, Cavney, Doran, Easton, Estabrook, French, Fuller, Gifford, H. Johnson, Julius, Kinney, Ladue, Lowth, Malmros Moorman, Murphy, Osborne, Rodolf, Snover, Stock, Tompkins, Walker, Wilson, Wing, and Horn, (Speaker)—29,

The title of the bill was agreed to.

A message from the senate, by Wm. Hull, Esq., their chief clerk :

Mr. Speaker :—

I am directed to inform you that the senate has concurred in the amendments of the assembly to

No. 147, S., a bill to authorize the laying out of a state road therein named,

And

122, S., a bill to provide for laying out a state road from Menasha to Plover Portage,

And that senate has concurred in the passage of,

No. 66, *a.*, a bill to appropriate to Albert G. Lull a certain sum of money,

No. 234, *a.*, a bill to appropriate to Peter W. Matts the sum therein named,

No, 348, *a.*, a bill to repeal an act authorizing J. D. Doty, Curtis Reed and their associates to construct a bridge across the south branch of Lake Winnebago,

No. 176, *a.*, a bill to authorize the construction of a bridge across Wolf river at Winnecona,

No. 134, *a.*, a bill to lay out and open a state road from Depere in Brown county to Willow river, in St. Croix county,

And

No. 68, *a.*. a bill to appropriate to Fratney & Herzberg fifty dollars,

With amendments to each.

And has passed

No. 237, S., a bill to incorporate the Madison and Prairie du Chien rail road company,

In all of which the concurrence of the assembly is requested.

Mr. Spooner moved that the vote by which the assembly postponed indefinitely the further consideration of bill

No. 118, S., a bill to amend chapter 131 section 37 of the Revised Statutes,

Be reconsidered.

Which was disagreed to.

Mr. Lowth, on leave granted, introduced bill

No. 374, *a.*, a bill to provide for the re-appraisal of the

University lands, and granting pre-emption rights thereon.

Which was read the first and second time.

And referred to the committee on University and University lands, with instructions to report on the same to-morrow.

Mr. J. B. Johnson from the committee on enrolled bills, submitted the following report :

The committee on enrolled bills reported as correctly enrolled,

No. 180, *a.*, a bill to authorize Henry Thien and his associates to build a dam across the Milwaukee river.

No. 217, *a.*, a bill declaring a certain road in the village of Hazle Green a public highway.

No. 206, *a.*, a bill to amend section 8, of chapter 5, of the Revised Statutes.

No. 249, *a.*, a bill to authorize the trustees of the village of Sheboygan to borrow money.

No. 161, S., a bill to provide for the election of supervisors in the city of Kenosha.

No. 136, S., a bill to change the name of the town of Kaukalin in the county of Brown.

No. 122, S., a bill to provide for laying out a state road from Menasha to Plover in Portage county.

No. 167, S., a bill to authorize the laying out of a state road therein named.

No. 166, S., a bill to legalize the acts of the clerk of the circuit court of Green county.

No. 147, S., a bill to authorize the laying out of a state road in the counties of Brown and Portage.

No. 131, S., a bill relating to the duties of sheriffs, justices of the peace and constables. J. B. JOHNSON.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole, for the consideration of the file of bills in which progress had been reported by a former committee,

Mr. Jenkins in the chair.

And after some time spent therein,

The committee rose, and by their chairman reported bills;

No. 169, *a.*, a bill to amend an act entitled, an act to provide for the construction of the Lisbon and Milwaukee plank road from Watertown to Madison," passed March 1848.

No. 170, *a.*, a bill concerning sales for taxes.

No. 172, *a.*, a bill to prohibit the sale of intoxicating liquors.

No. 252, *a.*, a bill to incorporate the Baraboo navigation improvement company.

No. 269, *a.*, a bill to appoint certain commissioners therein named.

No. 270, *a.*, a bill to amend chap. 16, of title 6, of the Revised Statutes.

No. 290, *a.*, a bill to authorize the electors of the county of La Fayette.

And

No. 375, *a.*, a bill supplementary and amendatory to an act entitled "an act to incorporate the city of Milwaukee, and acts amendatory thereto,"

Without amendment.

And bills

No. 137, *a.*, a bill to incorporate the Port Washington and Fond du Lac road company.

And

No. 272, *a.*, a bill to establish and organize a separate Supreme court,

With amendment,

And also reported progress on the said file of bills,

And asked leave to sit again.

Leave was granted.

A message from the senate by William Hull Esq., their chief clerk.

Mr. Speaker—

I am directed to inform you that senate has passed

No. 225, *a.*, a bill to provide for the location and erection of a state prison,

With amendments.

In which the concurrence of the assembly is requested.

The report of the committee of the whole being under consideration,

Said bill no. 375, *a.*, was ordered to be engrossed for a third reading.

Mr. Jenkins moved that the rules be suspended, and that said bill be read a third time now.

Which was agreed to.

Said bill was read a third time, passed,

And the title agreed to.

Pending the question on ordering said bill no. 172, *a.*, to be engrossed for a third reading,

Said bill was laid on the table.

Pending the question on ordering said bill no. 169, *a.* to to be engrossed for a third reading,

Mr. Rogan moved that the enacting clause be stricken out.

Which was agreed to.

Pending the question on ordering said bill no. 170, *a.*, to be engrossed for a third reading,

Mr. Lowth moved to amend the bill by adding the following section :

Sec. — Section 94, of chapter 15, of the Revised Statutes is hereby amended so that it shall hereafter read : "all lands bid off for the county as provided in the preceeding section shall continue to be taxed in the same manner as if such sale had not been made, and upon every return of such lands as delinquent to the treasurer, they shall be subject to sale under the statute regulations, the same as all other lands which may be returned as delinquent and sold for the taxes and charges thereon, and all provisions of said section 94, contravening the provisions of this section are hereby repealed.

Pending the question upon agreeing to said amendment,

On motion of Mr. Ray,

The assembly adjourned.

TUESDAY, March 11th, 9½ A. M.

Pending the reading of the journal of yesterday,

On motion of Mr. Malmros,

The further consideration thereof was dispensed with.

Mr. Chase presented the following affidavit and petition.

STATE OF WISCONSIN, | ss.
County of Dane,

I, Enoch Chase, being first duly sworn, do depose and say, that on the first day of March, A. D. 1849, I did present to the legislative assembly the claim of Jared Thompson, the same being two certificates of mileage and attendance as a member from the county of Milwaukee at the sessions of the territorial legislature held in December 1842, and in February 1843 commonly known as the "bogus session," which said claim with said certificates was referred to the committee on claims of the said assembly, and which claim was not allowed by the said assembly. And further that this deponent has since been wholly unable to find said certificates, the property of the said Thompson, either in the files of the said assembly or in any other place. ENOCH CHASE.

Subscribed and sworn to before me, this 11th day of March 1851. JEROME R. BRIGHAM,
Clerk Supreme Court, Wis.

To the Honorable—

The Legislature of the State of Wisconsin:

Your petitioner asks your honorable body that the above affidavit of Enoch Chase may be entered on the journal and that a copy thereof be filed in the office of the secretary of state, so that if ever hereafter an appropriation should be made by the state or the United States, to pay the expenses of the sessions above referred to in the affidavit of Enoch

Chase, your petitioner need not suffer loss in consequence of the loss of the certificates referred to.

(Signed) JARED THOMPSON,
By Enoch Chase.

(Dated) Madison, March 11, 1851.

On motion of Mr. Bird,

Ordered that said affidavit and petition be entered upon the journal of the assembly.

Mr. Doran introduced the following resolution:

Resolved, That the chief clerk be and he is hereby directed to pay out of the money appropriated to the payment of clerks for the assembly, three dollars per diem, severally, to the engrossing clerk and transcribing clerk of this house.

For the present consideration of which the rules were suspended,

And the question being on its adoption,

Mr. Jenkins moved to amend the resolution, by adding the following proviso:

Provided, That the same be done without reducing the pay contemplated for the enrolling clerk;

Which was not agreed to,

The question recurring on the adoption of the said resolution,

On motion of Mr. Doran,

It was laid on the table.

Mr. Rogan, from the committee on claims, submitted the following

REPORT:

The committee on claims, to whom were referred senate bills no. 133, 141, 143 and 200 have examined the same and have directed me to report the same back to the house, and recommend their passage.

Your committee have also had under consideration senate bill no. 142, and are of opinion that the services rendered, for which compensation is sought by said bill, properly ap-

pertain to the office of secretary of state, and therefore, your committee recommend that said bill do not pass.

(Signed) J. ROGAN, Ch'n.

Mr. Bird moved that said bill

No. 142, S., a bill to appropriate to Elisha Burdick the sum therein named;

Be laid on the table,

Which was disagreed to.

Mr. Spooner moved that the further consideration of said bill be indefinitely postponed,

Which was agreed to.

Said bills

No. 133, S., a bill to pay Benton and Garfield the sum therein named;

No. 141, S., a bill to appropriate Demming Fitch the sum therein named;

No. 143, S., a bill to appropriate J. Kip Anderson the sum therein named;

Were severally ordered to be read a third time.

Mr. Doran, from the select committee, to whom the same were referred, reported back bills

No. 79, *a.*, a bill relative to the release of one or more joint debtors,

And

No. 305, *a.*, a bill concerning applications to the legislature;

Without amendment;

Recommending their passage.

Said bills were ordered to be engrossed for a third reading.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled, bills

No. 199, *a.*, a bill to provide for the apportionment of school monies by town superintendents, in towns bordering on the south line of the state.

No. 227. *a.*, a bill to amend chap. 70, of the revised statutes;

No. 257, *a.*, a bill to authorize the people of school district composed of parts of the towns of Porter and Union in the county of Rock, and part of the town of Dunkirk in the county of Dane, to build a school house on the public square in the village of Waucoma in the town of Porter;

No. 258, *a.*, a bill providing for the manner in which the fees of sheriff's shall be paid in certain cases;

And

No. 135, S., a bill to incorporate the Fond du Lac county plank road company;

Mr. J. B. Johnson, from same committee, submitted the following

REPORT:

The committee on enrolled bills, reported as correctly enrolled:

No. 255, S., a bill to appropriate money to pay the per diem of members and the salaries of officers of the legislature.

No. 173, S., a bill to authorize the laying out of a state road therein named,

No. 171, S., a bill to provide for laying out and opening a state road from Battlefield to Coon Prairie in Bad Ax county.

No. 172, S., a bill to authorize the laying out of a state road therein named,

No. 174, S., a bill to appropriate to Geo. Hyer the sum therein named,

No. 162, S., a bill to authorize the construction of a bridge across Fox river at Grand Kaukalin,

No. 163, S., a bill to authorize the construction of a toll bridge across Fox river.

J. B. JOHNSON,

Said enrolled bills were severally signed by the speaker,

And, together with those signed in the afternoon of yesterday.

Were thereupon transmitted to the senate.

Mr. Rogan, from the committee on claims, to whom the same was referred bill

No. 215, S., a bill to appropriate a certain sum of money to pay the postage of the present session of the legislature,

Reported a substitute for said bill.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bill

No. 301, *a.*, a bill to authorize Geo. Stevens and others to improve the Little Bull Falls, ion Wisconsin river, and repeal an act approved Feb. 9, 1850.

A message from the Senate, by Wm. Hull, Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate has concurred in the passage of no. 241, *a.*, a bill to provide for the superintendence of the state library for the purchase of books for the same, and for other purposes,

And,

No. 235, *a.*, a bill to alter the boundaries of the town of Calumet, in Fond du Lac county,

With amendments,

In which the concurrence of the assembly is requested.

And that senate has passed

No. 256, S., a bill to appropriate to Matthew Wood the sum therein named,

No 257, S., a bill to appropriate to James Halpin the sum therein named,

And,

No. 258, S., a bill to pay the Chaplains employed during the present session of the legislature,

In which the concurrence of the assembly is requested.

The messages from the senate were taken up and considered.

The amendments of the Senate to the following bills,

No. 66, *a.*, a bill to appropriate Albert G. Lull a certain sum of money,

No. 68, *a.*, a bill to appropriate to Fratney and Herzberg the sum of fifty dollars,

No. 125, *a.*, a bill to provide for the erection and location of a state prison,

No. 235, *a.*, a bill to alter the boundaries of the town of Calumet, Fond du Lac county,

And,

No. 348, *a.*, a bill to repeal "an act authorizing J. D. Doty, Curtis Reed, and Harrison Reed, and their associates to construct a bridge across the south branch of lake Winnebago," approved Feb. 5, 1850,

Were severally concurred in.

The amendments of the senate to bills,

No. 176, *a.*, a bill to authorize the construction of a bridge across Wolf river, at Winneconne,

No. 234, *a.*, a bill to appropriate Peter W. Matts, the sum therein named,

And,

No. 241, *a.*, a bill to provide for the superintendence of the state library, for the purchase of books for the same, and for other purposes,

Were severally non-concurred in

Messrs Tompkins, Bird and Rogan were appointed a committee of conference, on the part of the assembly, in relation to the disagreeing vote of the two houses on said bill no. 234, *a.*,

And Messrs Doran, Bird and Walker, in relation to the disagreeing vote of the two houses on said bill no. 241, *a.*,

The question being on concurring in the amendments of the Senate to bill

No, 134, *a.*, a bill to lay out and open a state road from Depere in Brown county, to Willow river, in St. Croix county,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messes Bird, Chase, Clothier, Cone, Estabrook, Fuller, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Murphy, Ray, Rodolf, Rogan, Spooner, Tinker, VanVliet, Wing—18.

Those who voted in the negative, were

Messrs Bannister, Barnett, Biddlecome, Boyce, Bradley, Briggs, Cavney, Cole, Dick, Doran, Eastman, Easton, Everly, French, Gifford, Groot, Henning, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Muzzy, Olmstead, Perkins, Price, Smith, Snover, Stock, Tohl, Tompkins, Utley, Whitton, Wilson and Horn (speaker)—39.

The following bills, to wit:

No. 237, S., a bill to incorporate the Madison and Prairie du Chien railroad company;

No. 256, S., a bill to appropriate Matthew Wood the sum therein named,

No. 257, S., a bill to appropriate James Halpin the sum therein named,

And

No. 258, S., a bill to pay the chaplains employed during the present session of the legislature,

Were severally read the 1st and 2d time,

The following bills, to wit:

No. 157, S., a bill to incorporate the Green Bay and Milwaukee, and Chicago railroad company.

No. 164, S., a bill to provide for holding the terms of the circuit courts in the counties therein named.

No. 175, S., a bill to amend section 9, of chap. 76, of the revised statutes,

And,

No. 301, *a.*, a bill to authorize Geo. Stevens and others to improve the Little Bull Falls on Wisconsin river, and repeal an act approved Feb. 9, 1850,

Were severally read a 3d time and passed.

And the titles agreed to.

Said bill no. 133, S., was read a 3d time,

And the question on its passage

Was decided in the affirmative,

Those who voted in the affirmative, were

Messrs Barnett, Biddlecome, Bird, Boyce, Briggs, Chase,

Cole, Doran, Eastman, Easton, Estabrook, French, Fuller, Groot, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Ladue, Lessey, Malmros, Moore, Moorman, Murphy, Olmstead, Perkins, Price, Ray Rogan, Seaver, Smith, Snover, Spooner, Stock, Tinker, Tompkins, Utley, Van Vliet, Walker, Wilson, Wing and Horn (speaker) —45.

Those who voted in the negative, were

Messrs Clothier, Cone. Hale, Kinney, Lowth, Muzzy, Rodolf, Tohl, and Whitton—6.

The title was agreed to.

Said bill no. 141, S., was read a third time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Biddlecome, Bird, Boyce, Briggs, Cavney, Chase, Cole, Cone, Doran, Eastman, Easton, Estabrook, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Muzzy, Olmstead, Osborne, Perkins, Ray, Rodolf, Rogan, Seaver, Smith, Spooner, Stock, Tinker, Tompkins, Utley, Van Vleit, Whitton, Wilson, Wing and Horn (speaker,—51.

The title was agreed to.

Said bill no. 143, S., was read a 3d time,

And the question on its passage,

Was decided in the affirmative,

Those who voted in the affirmative, were

Messrs Bannister, Biddlecome, Bird, Boyce, Briggs, Cavney, Chase, Cole, Cone, Doran, Eastman, Everly, Fuller, Groot, Hemenway, Hulburt, Jenkins, J. B. Johnson, Jones, Julius, Kinney, Ladue; Lessey, Malmros, Moore, Olmstead, Osborne, Perkins, Price, Ray, Rogan, Seaver, Smith, Spooner, Stock, Tinker, Tohl. Tompkins, Utley, Van Vliet, Whitton, Wilson, Wing and Horn (Speaker)—44.

Those who voted in the negative, were

Messrs Barnett, Easton, Hale, H. Johnson and Muzzy—4.

The title was agreed to.

Bills reported by a committee of the whole, being under consideration,

The amendments reported to bill

No. 137, *a.*, a bill to incorporate the Port Washington and Fond du Lac plank road company,

Were concurred in,

And said bill was ordered to be engrossed and read a third time.

Pending the question on agreeing to the pending amendment to bill

No. 170, *a.*, a bill concerning sales for taxes,

Mr. Lowth had leave to withdraw said amendment, and moved in lieu thereof to amend by adding a new section as follows:

Sec. —. Section 94 of chapter 150 of title 5 of the revised statutes is hereby amended so that it shall hereafter read as follows:

All lands bid off for the county, as provided in the preceding section, shall continue liable to be taxed in the same manner as if such sale had not been made, and upon every return of such lands as delinquent, to the county treasurer, they shall be subject to sale under the statute regulations the same as all other lands which may be returned as delinquent, and sold for the taxes and charges thereon: Provided, That if such lands are sold to any individual or individuals, at any subsequent sale can only be perfected by paying to the county the amount of the claim which may be recorded against such lands, by virtue of the preceding sale made to such county,

Which amendment was agreed to.

The question recurring on ordering said bill no. 170, *a.*, to be engrossed for a third reading,

Pending the same,

On motion of Mr. Ladue,

Assembly adjourned until half past two o'clock P. M.

HALF PAST 2 O'CLOCK, P. M.

Mr. J. B. Johnson, from the committee on enrollments, submitted the following

REPORT :

The committee on enrolled bills have presented to his Excellency the Governor for his approval,

An act to establish the Cascade Academy,

An act to change the name of the town of Plymouth,

An act authorizing the state Treasurer to pay to the town superintendent of common schools in the county of Jefferson moneys to which they are entitled by law,

An act to amend "an act entitled an act to incorporate the Port Washington, Horicon and Beaver Dam turnpike company, approved March, 11, 1848,

An act for the relief of Sheboygan county,

An act to act to authorize the construction of a dam across the outlet of Long Pond in Fond du Lac county

An act to appropriate to Volney French the sum therein named,

An act to authorize the laying out of a state road therein named.

An act to authorize the laying out of a certain state road therein named.

An act to authorize the laying out of a state road therein named.

An act to authorize the laying out of a state road in the counties of Marquette and Winnebago.

An act to establish a state road therein named.

An act to lay out and establish a state road therein described.

An act to incorporate the Rock river insurance company.

An act to provide for the laying out and establishing of certain roads therein named.

An act to authorize the laying out of a state road therein named.

An act for the relief of the town of Green Bay.

An act to authorize the laying out of a state road therein named.

An act to authorize the construction of a dam across the Manitowoc river.

An act to authorize John Coumbs and Thomas Andrews the right to keep and maintain a ferry across the Wisconsin river in the town of Richland, in the county of Richland.

An act to authorize certain state roads therein named.

An act to authorize the draining or lowering of North Lake in the town of Merton, county of Waukesha.

An act to change the time for making assessments and collections of taxes in the county of Portage.

An act to change the name of the town of Pike in Kenosha county, to Somers.

An act to appropriate to J. Quintus the sum therein named.

An act to vacate a part of a street in the village of Omro.

An act for the laying out of a state road in the county of Marquette.

An act to attach certain territory therein named to the town of Bloomingdale.

An act to lay out and establish a certain road therein named.

An act to appropriate to James P. Whitney, the sum therein named.

An act to amend chapter one hundred and two of the Revised Statutes.

An act to authorize the treasurer of school district number five in the town of Richfield and county of Washington to collect a school tax for the years 1849 and 1850.

An act to appropriate to Alexander F. Pratt the sum therein named.

An act to appropriate to Grant county the sum of money therein named.

An act to provide for proving pre-emption rights and to amend section forty of chapter twenty-four of the Revised Statutes.

An act for the relief of school districts in the town of Pleasant Spring, in Dane county.

An act to amend section 16, chapter 134, title 30, part 4, of the Revised Statutes.

An act to authorize the laying out of a state road therein named.

An act for the laying out of a state road in the county of Dodge.

An act to lay out a state road from the village of Madison, in the county of Dane, to the quarter stake on section 36, township no. 9, north of range no 3 east, in the county of Richland.

An act to appropriate a certain sum of money to Charles Weed.

An act relating to the Militia.

An act to incorporate the Milwaukee and Lisbon plank road or turnpike company.

An act in relation to smelters.

An act to amend the charter of the Rock river Valley Union rail road company.

An act to authorize Ebenezer Dakin to build a dam across White river.

An act for the laying out of a state road in Dodge county.

An act to lay out a state road from the junction of the Madison and Verona state road in the county of Dane, to Wiota, in the county of La Fayette.

An act for the relief of the town of Alto.

An act to confer certain powers upon organized school districts, and for other purposes.

An act to exempt certain persons from paying a poll tax.

An act to incorporate the Palmyra and Jefferson turnpike and plank road company.

An act to incorporate the Hazle Green mining company.

An act to incorporate the Milwaukee and Watertown rail road company.

An act to incorporate the Madison and Swan Lake rail road company.

An act to change the name of the village of Arena, county of Iowa.

An act to authorize the laying out of a state road in Sauk county.

An act to authorize Napoleon B. Millard and A. D. Bonesteel to build and maintain a dam across Little Wolf river.

An act in relation to insurance on property in the city of Kenosha, made by individuals and associations authorized by law.

An act authorizing the Governor to enter into contract with Morgan L. Martin for the improvement of Fox river between lake Winnebago and Green Bay.

And

An act to vacate a part of the town plat of Wisconsin city in Rock county. J. B. JOHNSON.

The consideration of bills reported by a committee of the whole, was resumed.

And the pending question being on ordering said bill no. 170, *a.*, to be engrossed for a third reading.

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Biddlecome, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Doran, Easton, Estabrook, Gifford, Groot, Hulburt, Jenkins, Lowth, Muzzy, Price, Seaver, Snover,

Spooner, Tinker, Tompkins, Waldo, Walker, Whitton, Wilson—25.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Bird, Cole, Cone, Dick, Eastman, French, Fuller, Hale, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Murphy, Olmstead, Perkins, Rodolf, Rogan, Smith, Van Vliet, Wing and Horn (speaker —26.

Said bill was laid on the table.

The following bills, to wit:

No. 252, *a.*, a bill to incorporate the Baraboo navigation improvement company.

No. 269, *a.*, a bill to appoint certain commissioners therein named.

And

No. 290, *a.*, a bill to authorize the electors of the county of Lafayette to vote on the removal of the county seat of said county,

Were severally ordered to be engrossed and read a third time.

No. 123, S., a bill appropriating to Egbert Mosely the sum therein named.

No. 144, S., a bill to appropriate to V. W. Dean the sum therein named.

No. 145, S., a bill appropriating to La Fayette Kellogg the sum of money therein named.

And

No. 152, S., a bill to appropriate to Cannon & Sadd the sum therein named.

Were severally ordered to be read a third time.

Pending the question on ordering the engrossment for a third reading of bill,

No. 270, *a.*, a bill to amend chapter 16, of title 6 of the Revised Statutes,

Mr. H. Johnson moved that the enacting clause of said bill be stricken out.

Which was agreed to.

Pending the question on ordering the engrossment for a third reading of bill

No. 272, *a.*, a bill to establish and organize a separate supreme court.

On motion of Mr. Spooner,

Said bill was laid on the table.

Mr. Smith moved that the vote by which the assembly refused to order said bill no. 170, *a.*, to be engrossed and read a third time,

Be reconsidered.

Which was agreed to.

The question then being on ordering the engrossment and third reading of said bill,

Mr. Smith moved that the first and second sections of said bill be stricken out.

And a division of the question being called for,

The question on striking out the first section,

Was decided in the affirmative.

The question on striking out the second section,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Cole, Cone, Dick, Eastman, Estabrook, Everly, Fuller, Groot, H. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Malmros, Moore, Murphy, Olmstead, Perkins, Rodolf, Rogan, Smith, Stock, Tohl, Van Vliet, Wilson, Wing, and Horn (speaker)—31.

Those who voted in the negative were,

Messrs. Biddlecome, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Doran, Easton, French, Gifford, Hale, Hulburt, Jenkins, J. B. Johnson, Lowth, Moorman, Muzzy, Price, Seaver, Snover, Spooner, Tinker, Tompkins, Waldo, Walker and Whitton—27.

Said bill was then ordered to be engrossed and read a third time.

On motion of Mr, Ladue,

The assembly resolved itself into committee of the whole, for the consideration of senate bills in which progress had been reported by a committee of the whole,

Mr. Jenkins, in the chair,

And after some time spent therein,

The committee rose, and by their chairman reported bills

No. 57, S., a bill to authorize the aldermen of the third ward of the city of Milwaukee, to pave certain streets in said ward.

No. 63, S., a bill to amend chapter 88 of the Revised Statutes, concerning the action of Replevin before justices of the peace.

No. 126, S., a bill relating to the duties of auctioneers.

No. 128, S., a bill to establish highways.

No. 130, S., a bill to incorporate the lake and Mississippi steam boat company.

No. 151, S., a bill to amend chap. 117, of the Revised Statutes, relative to forcible entries and detainers.

No. 154, S., a bill to authorize the construction of bridges across the Portage Canal.

No. 159, S., a bill concerning the writ of error.

No. 176, S., a bill to incorporate the Omro and Waupun plank road company.

No. 179, S., a bill to appropriate to Wm. E. Cramer the sum therein named.

No. 180, S., a bill to vacate a portion of the plat of the village of Fond du Lac.

No. 181, S., a bill to incorporate the Fox river Manufacturing Company.

No. 182, S., a bill to authorize the Racine and Rock river plank road company to extend a branch of their road to Sugar Creek Prairie.

No. 183, S., a bill to incorporate the Milwaukee and Wauwatosa plank road company.

No. 185, S., a bill to pay William Doughty the principal

and interest due on five bonds issued by the territory of Wisconsin.

No. 188, S., a bill to authorize the erection of a free bridge across the Milwaukee river at Humboldt, in Milwaukee county.

No. 190, S., a bill to vacate a part of the town plat of the village of Westfield, in Sauk county.

No. 191, S., a bill to provide for laying out a state road from Fort Atkinson to Palmyra in Jefferson county.

No. 193, S., a bill to authorize the laying out of a state road from Reedsburgh, in Sauk county, to Stevens Point, in Portage county.

No. 194, S., a bill appropriating to E. B. Quiner the sum therein named.

No. 195, S., a bill to authorize certain payments to be made to clerks of circuit courts.

No. 197, S., a bill to provide for laying out a state road from Franklin, in Iowa county, to intersect the state road at or near Round Prairie in Bad Ax county.

No. 198, S., a bill providing for the appointment of commissioners to review and survey a territorial road therein named.

No. 201, S., a bill to incorporate the Columbia and Sauk county bridge company.

And

No. 238, S., a bill to appropriate to D. Holt, Jr. the sum therein named.

Without amendment.

And also reported progress on the said file of bills,

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

Said bills, nos. 57, 130, 154, 180, 181, 182, 188, 190, 191, 193, and 201, S.,

Were severally ordered to be read a third time.

And the rules having been suspended,

Said billss were severally read a third time, passed,

And the titles agreed to.

Pending the question on ordering said bill no. 63 S., to a third reading,

On motion of Mr. Doran,

All after the enacting clause of said bill was stricken out,

And it was laid on the table.

Pending the question on ordering said bill no. 151, S., to a third reading,

On motion of Mr. J. B. Johnson,

The enacting clause of said bill was stricken out.

Said bill no. 159, S., was referred to the committee on judiciary.

Said bills, nos. 176, and 183, S.. were referred to the committee on internal improvements.

Said bills nos, 197, and 198, S., were referred to committee on roads and bridges.

Said bills nos. 179, 185, and 194, S., were referred to the committee on claims.

Said bill no. 138, S., was ordered to be read a third time,

And

On motion of Mr. Bannister,

It was referred to committee on claims.

Said bill no. 126, S., was ordered to be read a third time.

And the rules having been suspended,

It was read a third time.

Pending the question on its passage;

On motion of Mr. Rodolf,

Said bill was referred to a select committee.

Messrs. Rodolf, Muzzy, and Briggs were appointed such committee.

Said bill no. 128, S., was ordered to a third reading.

And the rules having been suspended,

Was read a third time.

And the question on its passage,

Was decided in the negative.

On motion of Mr. Bannister,

Said bill no. 195, S., was laid on the table.

Mr. J. B. Johnson, from the committee on enrollments, submitted the following report:

The committee on enrolled bills, report as correctly enrolled

No. 348, *a.*, a bill to repeal an act authorizing J. D. Doty, Curtis Reed, Harrison Reed, and their associates to construct a bridge across the south branch of Lake Winnebago, approved Feb. 5th, 1850. J. B. JOHNSON.

Said enrolled bill was signed by the speaker,

And thereupon was transmitted to the senate.

Mr. Stock, from the committee on engrossments, reported as correctly engrossed, bill

No. 142, *a.*, a bill to incorporate the Manitowoc and Mississippi rail road company.

Mr. Malmros moved that the rules be suspended, and said bill read a third time now.

Which was agreed to.

And said bill was read a third time, passed,

And the title agreed to.

Mr. Briggs, on leave granted, introduced bill

No. 376, *a.*, a bill to pay J. L. Marsh the sum therein named.

Which was read the first and second time

And referred to committee on claims.

Mr. Olmstead moved that the rules be suspended, and that bill

No, 291, *a.*. a bill to authorize the collection and return of taxes in the town of Willow Springs, in Lafayette county,

Be taken up and read a third time.

Which was agreed to.

And said bill was read a third time, passed,

And the title agreed to.

Messrs. Vincent and Seaver had leave of absence for three days.

Mr. Price moved that the assembly adjourn.

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bird, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Dick, Eastman, French, Fuller, J. B. Johnson, Julius, Ladue, Lessey, Lowth, Malmros, Olmstead, Perkins, Price, Rodolf, Rogan, Snover, Stock, Tompkins, Whitton, and Horn, (speaker)—27.

Those who voted in the negative, were

Messrs. Bannister, Barnett, Cone, Doran, Easton, Everly, Groot, Hale, Hemenway, H. Johnson, Kinney, Moore, Muzzy, Ray, Smith, Spooner, Waldo, Wilson and Wing—19.

WEDNESDAY, March 12, 9½ A. M.

Prayer by Rev. Mr. Woodward.

Pending the reading of the journal of yesterday,

On motion of Mr. Lowth,

The further reading thereof was dispensed with.

Mr. Lowth moved that the vote by which the assembly, on yesterday, agreed to the motion to strike out the enacting clause of bill

No. 270, *a.*, a bill to amend chap. 16 of title 6 of the revised statutes;

Be re-considered,

Which was agreed to.

The question on striking out the enacting clause of said bill,

Was decided in the negative.

The question then being on ordering said bill to be engrossed for a third reading,

It was decided in the negative;

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Biddlecome, Bird, Bjornson, Bradley, Briggs, Cole, Everly, French, Groot, Hale, Julius, Lowth, Malmros, Moorman, Muzzy, Perkins, Price, Rodolf, Smith, Snover, Tohl, Tompkins, Utley, Whitton, Wilson and Horn, (speaker)—27.

Those who voted in the negative, were

Messrs. Barnett, Cavney, Chase, Clothier, Cone, Dick, Eastman, Easton, Fuller, Gifford, Heminway, Hulburt, H, Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Moore, Olmstead, Osborne, Rogan, Stock, Tinker, Van Vliet, Walker and Wing—27.

Said bill was laid on the table.

A message from the senate, by William Hull, Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate has concurred in the amendment of Assembly to

No. 122, S., a bill to provide for laying out a state road from Menasha to Plover Portage.

No. 147, S., a bill to authorize the laying out of a state road therein named.

And

No. 168, S., a bill to authorize the laying out of a state road therein named.

And has passed

No. 225, *a.*, a bill to provide for laying out and establishing certain roads therein named.

No. 202, *a.*, a bill to incorporate the Portage Bridge Co.,

No. 392, *a.*, a bill supplementary to an act entitled an act

to authorize the assessment and collection of taxes in the city of Milwaukee; approved Jan. 24, 1851.

No. 207, *a.*, a bill to incorporate the Richland city bridge company in Richland county;

No. 184. *a.*, a bill to provide for the laying out of a state road therein named.

No. 203, *a.*, a bill appropriating to Darwin Clark the sum therein named.

No. 67, *a.*, a bill to appropriate to Ira Gates a sum therein named.

No. 300, *a.*, a bill granting to Henry W. Kingsbury the right to keep and maintain a ferry across the Wisconsin river at the Table Rock in the county of Adams.

No. 288, *a.*, a bill relating to the swamp lands.

No. 203, *a.*, a bill to lay out a state road therein named. With amendments.

In which the concurrence of the assembly is requested; And

Mem. no. 12, *a.*, memorial to congress for a grant of land to aid in the construction of Ft. Winnebago, Barraboo Valley and Minnesota Railroad.

Mem. no. 11, *a.*, a memorial to congress in relation to a mail route from Janesville through Fulton, Cookville, Dunkirk, Bass Lake and Lake View to Madison.

No. 187, *a.*, a bill to incorporate the North Western Art Union.

No. 313, *a.*, a bill to provide for raising a tax in Union School District composed of districts nos. 7 and 8 in the towns of Porter, Union and Dunkirk in the counties of Dane and Rock.

No. 314, *a.*, a bill for the relief of school district no. 4 of the towns of Janesville and Harmony in Rock county.

No. 315, *a.*, a bill to legalize certain acts of the district board of school district no. 9 in the town of Eagle, Waukesha county.

No. 289, *a.*, a bill to authorize contiguous school districts

to associate together to establish and maintain academical schools.

No. 277, *a.*, a bill to permanently locate the county seat of Columbia county.

No. 215, *a.*, a bill to vacate a part of the town plat of the village of Oshkosh, and to legalize a subsequent survey.

No. 200, *a.*, a bill to authorize Thomas J. Townsend to keep a ferry across Fox river.

No. 192, *a.*, a bill to grant to the Neenah and Manitowoc Plank road company the right of way through the state lands.

No. 204, *a.*, a bill to amend an act entitled an act to authorize Hugh McFarlane and Robert V. Allen to build a bridge across the Wisconsin river.

No. 205, *a.*, a bill to extend the limits of the town of Rushford in the county of Winnebago.

And

No. 1, *a.*, a bill to incorporate the city of Milwaukee.

Without amendments.

And has passed

No. 107, S., a bill in relation to streets, alleys and sewers in the city of Milwaukee.

No. 140, S., a bill further to appropriate money to pay the contingent expenses of the state superintendent of public instruction for the year 1850.

And

No. 247, S., a bill to repeal section 17 of chap. 9 of the Revised Statutes.

In which the concurrence of the assembly is requested.

Mr. H. Johnson moved that the use of the assembly hall be granted to the state agricultural society this evening.

Which was agreed to.

Mr. Wilson asked leave to introduce a bill of the following title:

"A bill to establish an immigrant agency in the city of New York."

And the question being on granting such leave,

It was decided in the negative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Barnett, Biddlecome, Bjornsen, Briggs, Cavney, Chase, Clothier, Cole, Doran, Everly, French, Gifford, Groot, Julius, Lowth, Malmros, Moorman, Muzzy, Osborne, Perkins, Price, Smith, Snover, Stock, Tohl, Tompkins, Utley, Walker, Whitton, Wilson and Horn (speaker)—31.

Those who voted in the negative, were

Messrs. Bird, Cone, Dick, Eastman, Easton, Fuller, Hale, Heminway, Hulburt, H. Johnson, J. B. Johnson, Jones, Kinney, Ladue, Lessey, Moore, Olmstead, Rodolf, Rogan, Tinker, Van Vliet and Wing—23.

Mr. Spooner moved that the preamble and resolution, introduced on the 8th instant, relative to the improvement by the general government of western rivers and harbors;

Be taken from the table for further consideration,

Which was agreed to.

And the question being on their adoption,

Mr. Spooner moved to amend by inserting after the word "Resolved," the words "the senate concurring;"

Which was agreed to.

Mr. Ladue moved that the further consideration of said preamble and resolution be indefinitely postponed.

And pending the question on agreeing to said motion,

The morning hour expired.

Mr. Jenkins moved that the rules be suspended, and the consideration of said preamble and resolution continued:

Which was not agreed to.

And the ayes and noes having been called for and ordered

Those who voted in the affirmative, were

Messrs Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Eastman, Easton, Gifford, Hale, Hulburt, Jenkins, H. Johnson, Jones, Moore, Muzzy, Olmstead, Osborne, Rodolf,

Smith, Spooner, Stock, Tinker, Tohl Tompkins, Utley, Van Vliet, Waldo and Wing—29.

Those who voted in the negative, were

Messrs Bannister, Barnett, Biddlecome, Bird, Cole, Cone, Doran, Everly, French, Fuller, Groot, Heminway, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Murphy, Perkins, Price, Rogan, Snover, Walker, Whitton, Wilson and Horn (speaker)—29.

A message in writing, from the Governor, by George P. Delaplaine, Esq., his private secretary.

EXECUTIVE DEPARTMENT,
Madison, March 11, 1851.

To the Assembly—

I have this day approved, signed, and deposited in the office of the secretary of state,

Acts entitled as follows:

An act to incorporate the Plymouth and Jefferson, turnpike and plank road company,

An act to authorize the laying out of a state road therein named,

An act authorizing the state treasurer to pay to the town superintendent of common schools in the county of Jefferson moneys to which they are entitled by law,

An act to amend the charter of the Rock river valley union rail road company,

An act to authorize Ebenezer Dakin to build a dam across White river,

An act for the laying out of a state road in Dodge county,

An act to lay out a state road from the junction of the Madison and Verona state road in the county of Dane to Wiota in the county of Lafayette,

An act for the relief of the town of Alto,

An act to confer certain powers upon organized school districts and for other purposes,

An act to change the name of the town of Plymouth,

An act to amend "an act entitled an act to incorporate the

Port Washington, Horicon and Beaver Dam turnpike company, approved March 11, 1848,

An act to authorize the construction of a dam across the outlet of Long Pond in Pond du Lac county,

An act to authorize the laying out a state road therein named,

An act to authorize the laying out of a state road in the counties of Marquette and Winnebago,

An act to establish a state road therein named,

An act to provide for the laying out and establishing of certain roads therein named,

An act to vacate a part of a street in the village of Omro,

An act for the relief of Sheboygan county,

An act to establish the Cascade Academy,

An act for the laying out of a state road in the county of Marquette,

An act to attach certain territory therein named to the town of Bloomingdale,

An act to lay out and establish a certain road therein named,

An act in relation to smelters,

An act to authorize the laying out of a state road therein named,

An act to authorize the construction of a dam across the Manitowoc river,

An act to authorize John Coumbs and Thomas Andrews the right to keep and maintain a ferry across the Wisconsin river in the town of Richwood in the county of Richland;

An act to authorize certain state roads therein named,

An act to change the name of the town of Pike in Kenosha county, to Somers,

An act to appropriate to Grant county the sum of money therein named,

An act to appropriate a certain sum of money to Charles Weed,

An act to appropriate to James P. Whitney the sum therein named,

An act to appropriate to Alexander F. Pratt the sum therein named,

An act to appropriate to J. Quintus the sum therein named.

An act to appropriate to Volney French the sum therein named;

An act to authorize the laying out of certain roads therein named,

An act to authorize the laying out of a certain state road therein named,

An act to incorporate the Rock river insuaance company.

An act to authorize the treasurer of school district number five in the town of Richfield and county of Washington to collect a school tax for the years 1849 and 1850;

An act to amend chapter one hundred and two of the revised statutes,

An act to provide for proving pre-emption rights and to amend section forty of chapter twenty four of the revised statutes,

An act for the relief of school districts in the town of Pleasant Springs in Dane county;

An act to amend section 16, chapter 134, title 30, part 4, of the revised statutes.

An act to authorize the laying out of a state road therein named.

An act for the laying out of a state road in the county of Dodge.

An act relating to the Militia.

An act to authorize the laying out of a state road therein named,

And

An act to lay out a state road from the village of Madison in the county of Dane to the quarter stake on section 36, township no. nine, north of range no. 3 east, in the county of Richland. (Signed,) NELSON DEWEY.

Mr. J. B. Johnson, from the committee on enrollments, submitted the following

REPORT:

The committee on enrollments report as correctly enrolled:

No. 165, S., a bill to incorporate the Fort Winnebago, Baraboo Valley and Minnesota rail road company.

No. 143, S., a bill to appropriate J. Kip Anderson the sum of money therein named.

No. 141, S., a bill to appropriate to Deming Fitch the sum therein named.

No. 168, S., a bill to authorize the laying out of a state road therein named.

No. 133, S., a bill to pay Benton and Garfield the sum therein named.

No. 157, S., a bill to incorporate the Green Bay, Milwaukee and Chicago rail road company.

J. B. JOHNSON.

Mr. Bannister, from same committee, reported as correctly enrolled, bills:

No. 124, *a.*, a bill to authorize the construction of a dam across the Pecatonica river.

No. 162, *a.*, a bill to provide for the election of county treasurers and clerks of board of supervisors.

No. 214, *a.*, a bill to pay to Wm. H. Howard the sum therein named.

No. 230, *a.*, to amend part 1, title 3, chapter 10, sec, 28, of the revised statutes, giving the county board of supervisors power to vacate towns.

No. 256, *a.*, a bill to authorize the citizens of the village of Waucoma to build a meeting house on the public square of said village.

No. 264, *a.*, a bill to amend section 28, of chapter 131, title 23, of the revised statutes.

No. 138, S., a bill to incorporate the village of Delavan.

And memorials

No. 7, *a.*, a memorial to congress, in relation to a mail route; and

No. 8, *a.*, a memorial to congress asking for a mail route from the village of West Bend, to the town of Wayne, in the county of Washington,

Said enrolled bills and memorials were severally signed by the Speaker of the assembly,

And were thereupon transmitted to the senate.

Mr. J. R. Johnson, from the same committee, submitteed the following

REPORT:

The committee on enrolled bills have presented to his Excellency, the Governor, for his approval,

An act to appropriate money to pay the per diem of members and the salaries of officers of the legislature,

An act to change the name of the town of Grand Kaukalin, in the county of Brown,

An act to provide for laying out a state road from Menasha to Plover in Portage county,

An act to authorize the laying out of a state road in the counties of Brown and Portage,

An act to legalize the acts of the clerk of the circuit court of Green county,

An act to authorize the construction of a bridge across Fox River at Grand Kaukalin,

An act to appropriate to George Hyer the sum therein named,

An act to authorize the laying out of a state road therein named,

An act to incorporate the Fond du Lac county Plank road company,

An act to provide for laying out and opening a state road from Battlefield to Coon Prairie, in Bad Ax county,

An act to authorize the laying out of a state road therein named,

An act to provide for the election of supervisors in the city of Kenosha,

An act relating to the duties of Sheriffs, Justices of the peace and constables,

An act to authorize the construction of a toll bridge across Fox river. J. B. JOHNSON.

Mr. Julius, from the committee on engrossments, reported as correctly engrossed, bill

No. 290, *a*., a bill to authorize the electors of the county of Lafayette to vote on the removal of the county seat of said county,

Mr. Rogan, from the committee on claims, reported bill

No. 377 *a*., a bill to provide for the payment of the contingent expenses of the state of Wisconsin,

And in relation to the subject of said bill, submitted the following

REPORT:

The committee on claims, to whom was referred the account of his Excellency, the Governor, for contingent expenses for the year 1850, respectfully report:

That they have examined the accounts and vouchers of the Governor, with the most satisfactory result. It is abundantly shown by the experience of the past year, that the interest of the State is best promoted, and an important saving made by adopting the cash system in providing for the contingent expenses of the Executive Department, as will be evident by comparing it with the former practice. The monies placed in the Governor's hands for that purpose have been judiciously expended, and an unavoidable debt created of $1922 88 to provide for the payment of which, and the expenses of the present year, your committee have prepared a bill which they ask leave to introduce.

(Signed,) P. ROGAN, Ch'n.

The said bill was read the first and second time.

Mr. Lessey from the committee on ways and means, submitted the following

REPORT:

The committee on ways and means, to whom was referred the reports of Clerks of the Circuit Courts, in relation to fines imposed in the several counties in this State, in said Courts, beg leave to report a list or schedule, showing the amount assessed, amount collected, and amount yet due.

Amount assessed,	$1523 00
" collected,	905 00
Amount yet due,	$618 00

(Signed,) JOHN F. LESSEY,

Chairman of Com. on ways and means.

SCHEDULE.

Abstract of Fines Assessed in the several counties, the amount paid, and the balance due on the same.

Counties.		*Assessed.*	*Paid.*	*Balance.*
Adams,				
Brown,				
Calumet,				
Chippewa,				
Columbia,				
Crawford,	Feb'y 6th, '51	45 00	30 00	15 00
Dane,				
Dodge,	January 29	50 00	30 00	20 00
Fond du Lac,	None.			
Grant,	January 31	85 00	30 00	55 00
Green,	None.			
Iowa,	None.			
Jefferson,	January 31	110 00	100 00	10 00
Kenosha,	January 31	25 00		25 00
Lafayette,				
La Pointe,				
Manitowoc,	Feb. 20, 1851	100 00	50 00	50 00
Marathon,	None.			
Marquette,	None.			
Milwaukee,	Jan. 29, 1851	650 00	525 00	125 00
Portage,	Feb. 8, 1851	20 00		20 00
Racine,				
Richland,	None.			
Rock,	Feb. 5, 1851	35 00		35 00
Saint Croix,				
Sauk,	Feb. 5th	38 00	30 00	8 00
Sheboygan,				
Walworth,	None.			
Washington,	Jan. 31,	310 00	105 00	205 00
Waukesha,				
Winnebago,	Feb. 3 1851	55 00	5 00	50 00
		$1,523 00	$905 00	$618 00

Mr. Rodolf, from the select committee to whom the same was referred, reported back bill

No. 126, S., a bill relating to the duties, of auctioneers;

With amendments,

And recommended the passage of the said bill.

Mr. Tohl, from the committee on roads and bridges, to whom the same were referred, reported back bills,

No. 197, S., a bill to provide for laying out a state road from Franklin in Iowa county, to intersect the state road at or near Round Prairie in Bad Ax county;

And

No. 198, S., a bill providing for the appointment of commissioners to review and survey a territorial road therein named,

Without amendment,

And recommended their passage.

Mr. Walker, from the committee on internal improvements, to whom the same were referred, reported back bill

No. 176, S., a bill to incorporate the Omro and Waupun Plank road company,

Without amendment.

And bill

No. 183, S., a bill to incorporate the Milwaukee and Wauwautosa plank road company,

With amendments,

And recommended the passage of said bills.

The messages from the senate were taken up and considered.

The amendments of the senate to the following bills, to wit:

No. 300, *a.*, a bill granting to Henry Kingsbury the right to keep and maintain a ferry across the Wisconsin river, at the Table Rock in the county of Adams, and

No. 372, *a.*, a bill supplementary to an act authorizing the collection and assessment of taxes in the city of Milwaukee, approved Jan. 24, 1851;

Were severally non-concurred in.

The amendments of the senate to the following bills, to wit:

No. 67, *a.*, a bill to appropriate Ira Gates the sum therein named.

No. 184, *a.*, a bill to provide for the laying out of a state road therein named,

No. 203, *a.*, a bill to lay out a state road therein named,

No. 207, *a.*, a bill to incorporate the Richland City bridge company in Richland county.

No. 225, *a.*, a bill to provide for laying out and establishing certain roads therein named,

And

No. 303, *a.*, a bill appropriating to Darwin Clark the sum therein named,

Were severally concurred in.

The question being on concurring in the amendments of the senate to bill

No. 288, *a.*, a bill relating to the swamp lands,

Which amendments were as follows:

1st By striking from the bill the word "commissioners" wherever it occurs in the same.

2d. By an additional section, as follows;

Sec. 4. The sum of three thousand dollars, is hereby appropriated out of any money in the treasury not otherwise appropriated, to be applied to pay the expenses to be incurred under this act, said money to be drawn by the Governor, at such times and in such sums as will be necessary to pay for such expenses as will be incurred, and the governor shall audit and pay the accounts for services and charges of the persons to be employed nnder this act, which accounts shall be verified under oath, as to their correctness in all respects by the persons so employed, and the governor shall report to the next session of the legislature a detailed account of the expenditure of this appropriation.

The said amendments were non-concurred in;

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Boyce, Clothier, Dick, Gifford, Hulburt, Kinney, Ladue, Malmros, Moore, Murphy, Price, Snover, Waldo, Walker, Wilson and Horn, (Speaker)—17.

Those who voted in the negative, were

Messrs Barnett, Biddlecome, Bird, Bjornsen, Briggs, Cavney, Cole, Cone, Eastman, Easton, French, Fuller, Groot, Hale, Hemenway, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Lessey, Lowth, Muzzy, Olmstead, Osborne, Perkins Rodolf, Rogan, Smith, Spooner, Stock, Tinker, Tompkins and Wing—34.

The following bills, to wit:

No. 107, S., a bill in relation to streets, alleys and sewers in the city of Milwaukee.

No. 140, S., a bill further to appropriate money to pay the contingent expenses of the state superintendent of public instruction for the year 1850,

And

No. 247, S., a bill to repeal sec. 47 of chap. 9 of the revised statutes,

Were severally read the 1st and 2d time.

Said bill no. 140, S., was referred to the committee on claims.

Said bill no. 107, S., was referred to a select committee to consist of the members from Milwaukee.

The following bills, to wit:

No. 123, S., a bill appropriating to Egbert Mosely the sum therein named.

No. 144, S., a bill to appropriate N. W. Dean the sum therein named.

No. 145, S., a bill to appropriate La Fayette Kellogg the sum therein named.

No. 152, S., a bill to appropriate Cannon and Sadd the sum therein named,

And,

No. 238, S., a bill to appropriate D. Holt Jr. the sum therein named,

Were severally read a third time.

And the question on the passage of said bill no. 123, S.,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs, Bannister, Barnett, Biddlecome, Bjornsen, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Fuller, Gifford, Groot, Hale, Heminway, Hulburt, Jenkins, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lowth, Malmros, Moore, Murphy, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tinker, Tregaskis, Waldo, Walker, Wilson, Wing and Horn, (Speaker,)—48,

Those who voted in the negative, were

Messrs Bird, Everly, French, H. Johnson, and Tohl,—5.

The title was agreed to.

The question on the passage of said bill no. 144, S.,

Was decided in the affirmative,

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Biddlecome, Bird, Bjornsen, Briggs, Cavney, Chase, Clothier, Cole Cone, Dick, Doran, Eastman, Easton, Everly, Fuller, Gifford, Groot, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lowth, Malmros, Moore, Murphy, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tregaskis, Waldo, Wilson, Wing and Horn (Speaker)—48.

Messrs French, Hale and Tohl voted in the negative—3.

The title was agreed to.

The question on the passage of said bill no. 145, S.,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Biddlecome, Bird, Bjornsen, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Easton, Everly, French, Fuller, Groot, Hale, Hemenway, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lowth, Malmros, Moore, Murphy, Muzzy, Olmstead,

Osborne, Perkins, Price, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Utley, Walker, Wilson, Wing and Horn (Speaker)—49.

Mr. Tohl voted in the negative,—1.

The title was agreed to.

The question on the passage of said bill no. 152, S.,

Was decided in ths affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Biddlecome, Bird, Bjornsen, Briggs, Chase, Clothier, Cone, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hemenway, Jenkins, H. Johnson, J. B. Johnson, Jones, Juiius, Kinney, Ladue, Lessey, Lowth, Moore, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Walker, Wilson, Wing and Horn, (Speaker,)—47.

Mr. Tohl voted in the negative,—1.

The title was agreed to.

The question on the passage of said bill no. 238, S.,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Biddlecome, Bird, Bjornsen, Briggs, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hemenway, Jenkins, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Moore, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Rogan, Smith, Snover, Spooner, Stock Tompkins, Tregaskis, Utley, Walker, Wilson, Wing and Horn (Speaker)—48.

None voted in the negative.

The title was agreed to,

No. 290. *a.*, a bill to authorize the electors of the county of La Fayette to vote on the removal of the county seat of said county,

And the question on its passage was decided in the negtive,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bird, Bjornsen, Briggs, Clothier, Cole, Cone, Easton, Everly, Fuller, Groot, Hale, Heminway, Hulburt, H. Johnson, J. B. Johnson, Jones, Muzzy, Perkins, Rodolf, Rogan, Smith, Spooner, Tohl. Tregaskis, Van Vliet, and Wing,

Those who voted in the negative, were

Messrs Bannister, Barnett, Bldlecome, Bradley, Chase, Dick, Doran, Eastman, French, Gifford, Jenkins, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Murphy, Olmstead, Osborne, Price, Snover, Stock, Tompkins, Utley, Walker, Whitton, Wing and Horn, (Speaker)—30.

A message from the senate by William Hull, Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate has concurred in the passage of

No. 179, A. a bill to appropriate to John C. Lewis, treasurer of Dodge county, the sum therein named,

And

No. 375, *a.*, a bill supplementary and amendatory to an act entitled an act to incorporate the city of Milwaukee and acts amendatory thereto,

Without amendment,

The amendments of the select committee to bill

No. 126, S., a bill relating to the duties of auctioneers,

Were adopted.

The question on the passage of said bill,

Was decided in the affirmative,

And the ayes and noes having been called for and ordered,

Those who voted in the ffirmative, were

Messrs Biddlecome, Bird, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Dick, Eastman, Easton, Everly, French, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Ladue, Lessey, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan,

Smith, Snover, Stock, Tregaskis, Whitton, Wing and Horn, (Speaker)—33.

Those who voted in the negative, were

Messrs Barnett, Bjornsen, Cone, Fuller, Gifford, Groot, Hale, Jenkins, Julius, Kinney, Lowth, Moore, Utley, Van Vliet Walker and Wilson,—16.

The title was agreed to.

The rules were suspended for the consideration of bill

No. 215, S., a bill to appropriate a certain sum of money to pay the postage of the present session of the legislature.

The substitute for said bill, reported by the committee on claims,

Was adopted.

Said bill was ordered to be read a third time.

And the rules having been suspended,

It was read a third time.

And the question on its passage.

Was decided in the affirmative.

Those who voted in the affirmative were

Messrs Barnett, Bird, Bjornsen, Briggs, Cavney, Chase, Cole, Cone, Dick, Eastman, Easton, Everly, Fuller, Groot, Hale, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Jones, Julius, Kinney, Ladue, Lessey, Lowth, Moore, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Utley, Van Vliet, Walker, Whitton, Wilson, Wing and Horn, (Speaker,)—45.

Mr. Clothier voted in the negative—1.

The title was agreed to.

The amendments reported by the committee on internal improvements, to bill

No. 183, S., a bill to incorporate the Milwaukee and Wauwatosa plank road company;

Were adopted,

And said bill was read a third time, passed

And the title agreed to.

No. 176, S., a bill to incorporatee the Omro and Waupun plank road company,

Was taken up.

And the question pending being on ordering said bill to be engrossed for a third reading,

Mr. Spooner moved to amend the bill by striking therefrom wherever, they occur, the words, "charcoal," and "gravel,"

Which was agreed to.

Mr. Cone moved to amend, by striking from the 8th section the words, "and return again on said road;"

Which was agreed to.

The question recurring on ordering said bill to be engrossed for a third reading,

The rules were suspended and said bill was read a 3d time passed,

And the title agreed to.

Bills reported by a committee of the whole,

Being under consideration,

The following bills to wit:

No. 159, S., a bill concerning the writ of error.

No. 179, S., a bill to appropriate Wm. E. Cramer the sum therein named.

No. 185, S., a bill to pay Wm. Doughty the principal and interest due on five bonds issued by the territory of Wisconsin.

No. 194, S., a bill appropriating to E. B. Quiner the sum therein named.

No. 197, S., a bill to provide for laying out a state road from Franklin in Iowa county, to intersect the state road at or near Round Prairie in Bad-Ax county.

And

No. 198, S., a bill providing for the appointment of commissioners to review and survey a territorial road therein named.

Were severally ordered to be read a third time.

Mr. J. B. Johnson, from the committee on enrollments, submitted the following

REPORT :

The committee on enrollments have presented to the Governor for his approval,

An act to repeal an act authorizing the construction of a bridge across the south branch of the outlet of lake Winnebago, approved Feb. 5, 1850.

An act to amend section eight, chapter 5 of the revised statutes.

An act to authorize Henry Thien and his associates to build a dam across the Milwaukee river.

An act to authorize the trustees of the village of Sheboygan to borrow money.

An act to amend chapter 20 of the revised statutes.

An act providing for the manner in which fees of sheriff's shall be paid in certain cases.

An act for the laying out of a state road in the counties of Jefferson and Waukesha.

An act to provide for the apportionment of school moneys by town superintendents in towns bordering on the south line of the state.

An act to declare a certain road in the village of Hazle Greena public highway.

An act to authorize the people of school district composed of parts of the towns of Porter and Union in the county of Rock and part of the town of Dunkirk in the county of Dane to build a school house on the public square in the village of Waucoma in the town of Porter. J. B. JOHNSON.

On motion of Mr. Clothier,

No. 269, *a.*, a bill to legalize the acts of the town superintendent of the town of Concord,

Was taken up

And the rules having been suspended,

Said bill wac read a third time, passed

And the title agreed to.

On motion of Mr. Ladue,

The assembly adjourned until 2 o'clock P. M,

TWO O'CLOCK, P. M.

Mr. Murphy, from the committee on University and University lands, to whom the same was referred, having leave, reported back bill

No. 374, *a.*, a bill to provide for the reappraisal of the University lands, and granting pre-emption rights thereon,

With a substitute therefor.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole, for the consideration of the general file of bills,

Mr. Jenkins in the chair,

And after some time spent therein,

The committee rose and by their chairman reported bills

No. 158, *a.*, a bill to abolish flogging in schools.

No. 282, *a.*, a bill to promote agriculture, horticulture, and the mechanic and household arts.

No. 283, *a.*, a bill to extend the right of appeal to the circuit court in certain cases.

No. 295, *a.*, a bill to legalize a state road therein named.

No. 305, *a.*, a bill concerning applications to the Legislature.

No. 306, *a.*, a bill defining the western boundary of Columbia.

No. 307, *a.*, a bill to appropriate to H. Sadd the sum therein named.

No. 308, *a.*, a bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal."

No, 310, *a.*, a bill to incorporate the Wisconsin Manufacturing company of Grand Chute.

No. 311, *a.*, a bill to vacate a part of the plat of the village of Sheboygan.

No 318, *a.*, a bill to appropriate King and Fuller a certain sum of money.

No. 319, *a.*, a bill appropriating to Jerome R. Brigham a sum of money therein named.

No. 320, *a.*, a bill to establish the "ten hour system of labor."

No. 321, *a.*, a bill to grant to the Chicago and Galena and Chicago Union railroad company the privilege of extending and running said road through Lafayette county.

No. 324, *a.*, a bill to legalize the organization and acts of school district no. 4, in the town of Ashippun Dodge county.

No. 325, *a.*, a bill to change the name of the village of Jefferson in Grant county.

No. 329, *a.*, a bill defining certain duties of the State superintendent,

No. 333, *a.*, a bill in relation to Normal schools,

No. 334, *a.*, a bill to appropriate money for the purpose therein named.

No. 337, *a.*, a bill for the relief of the treasurer of the town of Kendall in the county of Lafayette, for the year 1850.

No. 338, *a.*, a bill in relation to bridges across navigable streams.

No. 339, *a.*, a bill to authorize the town of Fort Winnebago to construct a free bridge across the Wisconsin river.

No. 345, *a.*, a bill to authorize the construction of a bridge across Wolf river at Mukwa in the county of Waupacca.

No. 346, *a.*, a bill to appropriate to Moritz Shoeffler the sum therein named.

No. 371, *a.*, a bill to legalize school district no. 2 in Fort Winnebago and authorize a tax.

No. 303, *a.*, a bill to incorporate the Oshkosh and Waupun plank road company.

No. 355, *a.*, a bill to legalize school district no. 4, in the town of Ottawa.

No. 356, *a.*, a bill to appropriate to A. P. Thompson the sum therein named.

No. 357, *a.*, a bill to appropriate to Bird and Mills the sum therein named.

No. 358, *a.*, a bill to appropriate to J. T. Wilson the sum therein named.

No. 359, *a.*, a bill to authorize the Register of Deeds of Manitowoc county to obtain from the office of the Register of Deeds of Brown county, certain instruments therein named.

No. 360, *a.*, a bill to authorize school district no. 4, in the town of Warwick, in the county of Iowa, to draw its proportion of school monies for 1850.

No. 362, *a.*, a bill to provide the manner in which town superintendents of schools, shall establish or alter school districts in their respective towns.

No. 364, *a.*, a bill to vacate a part of a territorial road in Dodge county surveyed by Victor M. Adams, under the direction of Isaac Noyes and Benjamin Claussen, commissioners, and established by an act of the territorial legislature, approved Feb. 22, 1850.

No. 365, *a.*, a bill to pay the expenses of the legislature for the year 1851.

No. 368,, a bill to appropriate to Silas Chapman the sum therein named.

No. 370, *a.*, a bill to appropriate to Waite and McLaughlin the sum therein named.

No. 371, *a.*, a bill to appropriate to James Densmore the sum therein named.

No. 373, *a.*, a bill to incorporate the Delavan railroad com-

And

No. 377, *a.*, a bill to provide for the payment of the contingent expenses of the state of Wisconsin, for the years 1850 and 1851.

Without amendment.

And bills

No. 274, *a.*, a bill legalizing the fees of attorneys and solicitors.

No. 316, *a.*; a bill to provide for the payment of indebtedness to the capital of the school fund.

No. 349, *a.*, a bill to permanently locate the seat of justice of Washington county.

No. 361, *a.*, a bill to pay Moritz Shoeffler the sum therein named.

And,

No. 374, *a.*, a bill to provide for the reappraisal of the University Lands and granting the pre-emption rights thereon,

With amendment.

And also, reported progress on the said file of bills,

And asked leave to sit again.

Leave was granted.

The report of the committee of the whole being under consideration,

On motion of Mr. Chase,

Said bill no. 158, *a.*, was laid on the table.

Pending the question on ordering said bill no. 282, *a.*, to be engrossed for a third reading,

Mr. Clothier moved to strike out the first section of the bill;

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Clothier, Cole, Cone, Dick, Eastman, French, Groot, Hemenway, Jenkins, J. B. Johnson, Jones, Julius, Lessey, Lowth, Malmros, Moore, Murphy, Muzzy, Price, Rodolf, Rogan, Stock, Tohl, Tregaskis, Whitton, Wilson and Wing—28.

Those who voted in the negative, were

Messrs Barnett, Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Doran, Easton, Estabrook, Everly, Fuller, Gifford, Hale, H. Johnson, Kinney, Ladue, Moorman, Olmstead, Osborne, Perkins, Spooner, Tinker, Tompkins, Utley, Waldo, Walker—29.

Mr. J. B. Johnson moved that the further consideration of the bill be indefinitely postponed,

Which was disagreed to.

And the ayes and noes having been called for and ordered.

Those who voted in the affirmative, were

Messrs Bannister, Clothier, Cole, Cone, Dick, Doran, Eastman, French, Groot, Jenkins, J. B. Johnson, Julius, Lessey, Lowth, Moore, Moorman, Murphy, Muzzy, Price, Rodolf, Rogan, Stock, Tohl, Tregaskis, Waldo, Whitton, Wilson, and Wing—28.

Those who voted in the negative, were

Messrs Biddlecome, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Easton, Estabrook, Everly, Fuller, Gifford, Hale, Hemenway, H. Johnson, Jones, Kinney, Ladue, Malmros, Osborne. Perkins, Smith, Spooner, Tinker, Tompkins, Utley, Walker—29.

Mr. Jenkins moved that said bill be laid on the table.

Which was agreed to.

Pending the further consideration of the report of the committee of the whole,

On motion of Mr. Jenkins,

The assembly adjourned.

THURSDAY, March 13, 9½ o'clock A. M.

Prayer By Rev. Mr. Lord.

Pnending the reading of the journal of yesterday,

On motion of Mr. Tinker,

The further reading thereof was dispensed with.

Mr. Bannister introduced the following resolution:

Resolved, by the assembly (the senate concurring,) That the Governor be and is hereby requested to return to the legislature for its further action, a bill entitled "an act for the relief of the town of Green Bay," presented for his approval on the 11th instant, the same being incorrectly enrolled, and the enrolling committee is hereby directed to have the same, when so returned by the Governor, enrolled according to the engrossed bill, as passed by the legislature,

The rules were suspended, and the said resolution was adopted.

The following preamble and resolution, to wit:

Whereas, by rejecting the bill making appropriations for the improvement of rivers and harbors, the late congress has refused to the western states that equal participation in those benefits which the general government is constitutionally bound to extend equally to every section of the Union, therefore,

Resolved, the senate concurring, that such violation of the rights and abandonment of the interests of a portion of the Union receives our most marked reprehension; and that we hold each and every person and party who heretofore has, or hereafter may, exhibit opposition to river and harbor improvements, as hostile to the interests, and undeserving the confidence and support of the people of the west.

Being under consideration,

And the question being on their adoption,

Mr. Ladue moved to amend the preamble, by the insertion of the following words, "not above ports of entry," after the word "rivers."

Which was not agreed to,

Mr. Walker moved moved that the further consideration of said preamble and resolution be indefinitely postponed;

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Bjornson, Bradley, Cole, Dick, Doran, Everly, French, Fuller, Hemenway, Henning, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Murphy, Perkins, Price, Rodolf, Snover, Stock, Walker, Whitton, Wing and Horn, (Speaker)—28.

Those who voted in the negative, were

Messrs Barnett, Boyce, Briggs, Cavney, Chase, Clothier, Cone, Eastman, Easton, Groot, Hale, Hulburt, H. Johnson, Moore, Muzzy, Olmstead, Smith, Spooner, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet—24.

Mr. Stock from the committee on engrossments, reported, as correctly engrossed, bills

No. 160, *a.*, a bill to protect prairie chickens and quails.

No. 170, *a.*, a bill concerning sales for taxes.

No. 213, *a.*, a bill to provide for the fees of sheriffs.

And,

No. 269, *a.*, a bill to appoint certain commissioners therein named.

The message from the senate was taken up and considered.

The amendment of the senate to bill,

No. 202, *a.*, a bill to incorporate the Portage bridge company.

Was concurred in.

The following bills, to wit:

No. 159, S., a bill concerning the writ of error.

No. 197, S., a bill to provide for laying out a state road from Franklin, in Iowa county, to intersect the state road at or near Round Prairie in Bad Ax county.

No. 198, S., a bill providing for the appointment of commissioners to review and survey a territorial road therein named,

And said bills no. 213, and 269, *a.*,

Were severally read a 3d time, passed

And the titles agreed to.

No. 179, S., a bill to appropriate Wm. E. Cramer the sum therein named,

Was read a 3d time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmatiue, were

Messrs. Bannister, Barnett, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hemenway Henning, Hulburt. H. Johnson, J. B. Johnson, Julius, Kinney, Ladue. Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Rodolf, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—53.

None voted in the negative.

The title was agreed to.

No. 185, S., a bill to pay William Doughty the principal and interest due on five bonds issued by the Territory of Wisconsin;

Was read a 3d time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn, (Speaker,)—52.

Mr. Cone voted in the negative—1.

The title was agreed to.

No. 194, S., a bill appropriating to E. B. Quiner the sum therein named,

Was read a third time,

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Smith, Snover, Spooner, Stock, Tinker, Tohl, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn(Speaker)—55.

None voted in the negative.

The title was agreed to,

Said bill no. 160, *a.*, was read a third time,

And the question being on its passage,

Mr. Chase had unanimous leave to amend the bill by inserting in its enumeration of game, the word "woodcock,"

Said bill was passed,

And the title agreed to.

Said bill no. 170, *a.*, was read a 3d time.

And the question being on its passage,

Mr. Chase moved that it be laid on the table,

Which was not agreed to.

The question on the passage of said bill,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Cavney, Clothier, Cole, Dick, Everly, French, Gifford, Groot, Hale Henning, Julius, Ladue, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Smith, Snover,

Stock, Tohl, Waldo, Walker, Wilson, Whitton, Wing and Horn, (speaker)—36.

Those who voted in the negative, were

Messrs Chase, Cone, Doran, Eastman, Easton, Estabrook, Fuller, Hemenway, H. Johnson, J. B. Johnson, Lessey, Moore, Rodolf, Spooner, Tinker, Van Vliet,—18.

The title was agreed to,

A message from the senate by William Hull, Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate insists in its amendment to no. 240, *a.*,

And has appointed Messrs Huebschmann, H. G. Turner, and Head, a committee of conference on the disagreeing vote on said bill.

Senate also insists in its amendments to no. 134, *a.*,

Messrs Bugh, H. G. Turner, and Rountree, have been appointed a committee of conference, on the disagreeing vote of the two houses on said bill,

Senate also insists in its amendments to no, 288, *a.*, and have appointed Messrs Conkey, Rountree and Eastman a committee of conference on said bill

Senate also insists in its amendments to said bill no. 234, *a.*,

Messrs Dean, Head and Huebschmann, have been appointed a committee of conference on the disagreeing vote of the two houses thereon,

Senate insists in its amendments to said bill no. 117, *a.*,

Messrs Conkey, Bennett and Moore, have been appointed a committee of conference, on the disagreeing vote of the two houses on said bill,

Senate insists in its amendments to said bill no. 176, *a.*,

Messrs Dean, Conkey and H. G. Turner have been appointed a committee of conference on the disagreeing vote of the two houses on said bill.

Senate insists in its amendments to said bill no. 216, *a.*,

And has appointed Messrs Eastman, Head, and Palmer, a committee of conference on the disagreeing vote of the two houses, on said bill.

I am further directed to inform you that senate has concurred in the 1st, and has non-concurred in the second amendment of assembly to bill no. 176, S.,

Senate insists in its amendments to said bills no. 300, *a.*, and no. 392, *a.*,

And has appointed as a committee of conference on said bill no. 300, *a.*,

Messrs H. G. Turner, Bennett, and Moore,

And on said bill no, 372, *a.*,

Messrs Huebschmann, Hyer and Head.

Senate has also concurred in the passage of

No. 274, *a.*; a bill to levy a tax on dogs

And,

No. 291, *a.*, a bill to authorize the collection and return of taxes in the town of Willow Springs, Lafayette county.

With amendments,

In which the concurrence of assembly is requested,

Senate has also passed,

No. 99, *a.*, a bill for the relief of those persons commonly called seventh day Baptists and others, who keep the seventh day of the week as a day of rest.

No. 245, *a.*, a bill for the relief of school district no. 2, in the town of Richmond in the county of Richland,

No. 142, *a.*, a bill to incorporate the Manitowoc and Mississippi railroad company.

No. 259, *a*, a bill for the relief of the several counties of this state.

And,

No. 304, *a.*, a bill to appropriate to the county of Rock the sum therein named.

Without amendments;

Senate has also passed

No. 207, S., a bill extending the time of payment of the interest on mortgages for the loan of school money.

No. 229, S., a bill to appropriate to Beriah Brown the sum therein named,

And,

No. 233, S., a bill to appropriate money for the purposes therein mentioned,

In which the concurrence of the assembly is requested,

I am also directed to request that the assembly will at its earliest convenience transmit to the senate all the papers in in its possession, having reference to the question of a division of Grant county.

Bills reported by a committee of the whole being under consideration,

The following bills, to wit:

No. 295, *a.*, a bill to legalize a state road therein named.

No. 307, *a.*, a bill appropriating to H. Sadd the sum therein named.

No. 308, *a.*, a bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin river and connecting the same by a canal.

No. 310, *a.*, a bill to incorporate the Wisconsin manufacturing company of Grand Chute.

No. 318, *a.*, a bill to appropriate King & Fuller the sum of money therein named.

No. 319, *a.*, a bill appropriating to Jerome R. Brigham a sum of money therein named,

No. 320, *a.*, a bill to establish the "ten hour system of labor,"

No. 324, *a.*, a bill to legalize the organization and acts of school district no, 4 in the town of Ashippun, Dodge county.

No. 329, *a.*, a bill defining certain duties of the State Superintendent.

No. 332, *a.*, a bill to appropriate a certain sum of money therein named.

No. 333, *a.*, a bill in relation to Normal Schools.

No. 337, *a.*, a bill for the relief of the treasurer of the town of Kendall in the county of La Fayette, for the year 1850.

No. 338, *a.*, a bill in relation to bridges across navigable streams.

No. 339, *a.*, a bill to authorize the town authorities of Fort Winnebago to construct a free bridge across the Wisconsin river.

No. 345, *a.*, a bill to authorize the construction of a bridge across Wolf river at Mukwa in the county of Waupacca.

No. 346, *a.*, a bill to appropriate Moritz Shoefler the sum therein named.

No. 347, *a.*, a bill to appropriate William Gansman the sum therein named.

No. 350, *a.*, a bill to appropriate to Ole Torgerson the sum therein named.

No. 351, *a.*, a bill to legalize school district No. 2, in Fort Winnebago and authorize a tax.

No. 356, *a.*, a bill to appropriate A. P. Thompson the sum therein named.

No. 357, *a.*, a bill to appropriate Bird & Mills the sum therein named.

No. 358, *a.*, a bill to appropriate J. T. Wilson the sum therein named.

No. 360, *a.*, a bill to authorize school district no. 4 in the town of Waldwic in the county of Iowa, to draw its proportion of school monies for 1850.

No, 364, *a.*, a bill to vacate a part of the Territorial road in Dodge county, surveyed by Victor M. Adams under the direction of Isaac Noyes and Benjamin Claussen, commissioners, and established by an act of the Territorial Legislature; approved Feb. 22, 1845.

No. 366, *a.*, a bill to appropriate J. H. Lewis the sum therein named.

No. 368, *a.*, a bill to appropriate Silas Chapman the sum therein named.

No. 370, *a*,, a bill to appropriate Waite & McLaughlin the sum therein named.

No. 371, *a*., a bill to appropriate to James Densmore the sum therein named.

No. 373, *a*., a bill to incorporate the Delavan railroad company.

And

No. 377, *a*., a bill to provide for the payment of the contingent expenses of the State of Wisconsin for the years 1850 and 1851,

Were severally ordered to be engrossed for a third reading.

No. 274, *a*., a bill regulating the fees of attorneys and solicitors,

Was referred to the committee on judiciary.

The question on ordering the engrossment and third reading of bill

No. 367, *a*., a bill to appropriate R. L. Ream the sum therein named.

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bird, Bjornsen, Boyce, Briggs, Doran, Eastman, Estabrook, Everly, Gifford, Groot, Hemenway, Henning, Jenkins, Ladue, Lessey, Lowth, Malmros, Moorman, Murphy, Olmstead, Osborne, Price, Smith, Snover, Spooner, Tohl, Utley, Waldo, Walker, Whitton and Wilson—32.

Those who voted in the negative were,

Messrs. Bannister, Barnett, Chase, Clothier, Cole, Cone, Easton, Fuller, Hale, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Moore, Muzzy, Perkins, Rodolf, Rogan, Stock, Tompkins, Van Vliet, Wing, and Horn (speaker)—24.

On motion of Mr. Chase,

The further consideration of bill,

No. 365, *a*., a bill to pay the expenses of the legislature for the year 1850,

Was indefinitely postponed.

Pending the question on ordering the engrossment and third reading of bill,

No. 355, *a.*, a bill to legalize school district no. 4, in the town of Ottawa.

Mr. Gifford moved to amend by striking out all after the enacting clause, and inserting a substitute as follows :

Sec. 1. The acts of the superindendent of the town of Ottawa, in forming and establishing school district no. 4, in said town of Ottawa, in the county of Waukesha, together with all and every act or acts of said school district, and of each and all of its officers, be, and the same are hereby declared to be legal and valid for all purposes intended from the time of its formation up to the present time.

Sec. 2. This act shall take effect from and after its passage.

Which was agreed to.

And said bill was ordered to be engrossed and read a third time.

On motion of Mr. Rodolf,

The enacting clause of bill

No. 334, *a.*, a bill to appropriate money for the purposes therein mentioned,

Was stricken out.

Pending the question on ordering the engrossment and third reading of bill

No. 325, *a.*, a bill to change the name of the village of Jefferson in Grant county.

Mr. Olmstead moved to amend by striking out all after the enacting clause, and inserting the following :

Sec. 1. The main traveled public road as it now runs, leading from Mineral Point in the county of Iowa, by way of Cottage Inn and Elk Grove, in the county of La Fayette, Twelve Mile House aud Hazle Green, in the county of Grant, to the state line, be, and the same is hereby declared to be a state road,

Sec. 2. The main travelled public road, leading from the Cottage Inn, by Belmont, in the county of La Fayette, to Plattville, in the county of Grant, be, and the same is hereby declared to be a state road.

Which was agreed to.

And said bill was ordered to be engrossed and read a third time.

On motion of Mr. Rodolf,

The enacting cl ause of bill

No. 306, *a.*, a bill defining the western boundary of the county of Columbia,

Was stricken out.

The question on ordering the engrossment and third reading of bill

No. 362, *a.*, a bill to provide the manner in which town superintendents of schools shall establish or alter school districts in their respective towns,

Was decided in the negative.

And said bill was laid on the table.

Pending the question on ordering the engrossment and third reading of bill

No. 359, *a.*, a bill to authorize the register of deeds of Manitowoc county to obtain from the office of the register of deeds of Brown county certain instruments therein named.

Mr. Lessey moved that the enacting clause of said bill be stricken out.

Which was disagreed to.

And said bill was ordered to be engrossed and read a third time.

Pending the question on ordering the engrossment and third reading of bill

No. 353, *a.*, a bill to incorporate the Oskosh and Waupun plank road company,

Mr. Eastman moved to amend the 1st section, by inserting before the name "Wilcox," the name "Seymour," and by adding to the list of commissioners, Hauson Rand, Curtis Reed Geo. K. Mansur and Alexander F. David.

Also to add to the bill the following section:

Sec. 15. The said company shall have the power to extend said road in a north-easterly direction, from the village of Oskosh, to intersect the Menasha and Kaukana plank road at such point as may be determined by said company; and it shall be lawful to increase their capital stock eighteen thousand dolllars for the purpose of such extension.

Which was agreed to.

And said bill was ordered to be engrossed and read a third time.

Pending the question on ordering the engrossment and third reading of bill

No. 311, *a.*, a bill to vacate a part of the plat of the village of Sheboygan,

Mr. Malmros moved that all after the enacting clause o said bill be stricken out, and the following section inserted in lieu thereof, to wit:

Sec. 1. That section one (1), of chapter five (5), of the Revised Statutes is hereby amended so as to read as follows:— The Secretary, of State, immediately after any *general* law of the Legislature shall have been deposited with him, shall furnish a copy thereof to the persons authorized to print the laws, who shall immediately publish the same in a newspaper printed at the seat of government; and said printer shall furnish the Secretary of State with a number of printed copies of the same, equal to the number of counties in the State; and immediately after receipt of such printed copies, it shall be the duty of the Secretary of State to forward the same to be published in one paper in each county of this State, wherein a paper is printed, and any such newspaper that shall so publish all the general laws passed at any one session, upon proof by the affidavit of the publisher, shall be allowed and paid out of the Treasury a sum not exceeding (*fifty*) *dollars.*

And pending the question on agreeing to said motion to amend by striking out and inserting,

On motion of Mr. Rodolf,

The said bill and pending amendment were referred to the the committee on legislative expenditures;

Pending the question on ordering the engrossment and third reading of bill

No. 321, *a.*, a bill to grant to the Chicago and Galena and Chicago Union Rail Road company the privilege of extending and running said road through La Fayette county,

Mr. Walker moved that the enacting clause of said bill be stricken out,

Which was disagreed to.

Mr. Hulburt moved to amend by inserting after the word "La Fayette," the words "Green, to the Mississippi river," and in place of the word "county," the word "counties."

Which was disagreed to.

Mr. Tomykins moved to amend, by an additional section as follows :

Sec. 2. Said company shall have power to construct a branch of its road from Janesville to the Mississippi river.

Which was disagreed to.

Mr. Olmstead moved to amend by striking out all after the word "upon," and substituting as follows :

"On the same terms, conditions and privileges which are granted to Milwaukee and Mississippi rail road company.

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bird, Bjornsen, Bradley, Cole, Dick, Eastman, Easton, Estabrook, French, Groot, Hulburt, J. B. Johnton, Julius, Kinney, Lessey, Lowth, Moore, Moorman, Muzzy, Olmstead, Perkins, Rodolf, Rogan, Smith, Tinker, Tompkins, Tregaskis, Waldo, Whitton and Wing—30.

Those who voted in the affirmative, were

Messrs. Boyce, Briggs, Cavney, Chase, Clothier, Cone, Doran, Fuller, Hemenway, Jenkins, H. Johnson, Ladue, Malmros, Murphy, Osborne, Snover, Spooner, Stock, Utley, Walker, Wilson and Horn (speaker)—22,

Mr. Olmstead moved further to amend by adding the following proviso:

Provided, That the said road shall not run more than two miles north of the State Line.

Pending the question on agreeing to the said motion,

Mr. Jenkins moved that said bill and pending amendment be laid on the table.

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney Chase, Cone, Dick, Doran, Everly, French, Fuller, Gifford, Hale, Hemenway, Jenkins, H. Johnson, Julius, Ladue, Moore, Osborne, Price, Snover, Spooner, Stock, Tohl, Utley, Van Vliet, Walker, Whitton, Wilson, Horn (speaker)—33.

Those who voted in the negative were,

Messrs. Clothier, Cole, Eastman, Easton, Estabrook, Groot, Henning, Hulburt, J. B. Johnson, Kinney, Lessey, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead, Perkins, Rodolf, Rogan, Smith, Tinker, Tompkins, Tregaskis, Waldo and Wing—26.

Pending the question on ordering the engrossment and third reading of bill

No. 305, *a.*, a bill concerning applications to the legislature.

Mr. H. Johnson moved to amend by an additional section, to stand as section 7, as follows:

Sec. 7. All persons intending to apply as aforesaid for the alteration of the boundary of any village by addition thereto, or vacating any part thereof, or for the alteration or vacation of any street, or alley, or part of any such street or alley, shall give the same notice as is required in the first section of this act.

Which was agreed to.

On motion of Mr. Fuller,

Said bill was laid on the table.

Pending the further consideration of bills reported by a committee of the whole,

On motion of Mr. J. B. Johnson,

The assembly adjourned until half past o'clock P. M.

2½ O'Clock, P. M.

Mr. Stock, from the committee on engrossments, reported as correctly engrossed, the following bills, to wit:

No. 325, *a.*, a bill to change the name of the village of Jefferson, in Grant county.

And said bills, no. 295, 307, 308, 310, 318, 320, 324, 332, 339, 345, 346, 347, 350, 351, 356, 358, 360, 364, 366, 367, 368, 370, 371, 373 and 377 *a.*,

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled, bills

No. 66, *a.*, a bill to appropriate to Albert G. Lull a certain sum of money.

No. 68. *a.*, a bill to appropriate to Fratney & Herzberg.

No. 118, *a.*, a bill in relation to state roads.

No. 125, *a.*, a bill to provide for the erection and location of a state prison.

No. 203, *a.*, a bill to lay out a state road therein named.

No. 204, *a.*, a bill to amend an act entitled "an act authorizing Hugh McFarland and Robert V. Allen to build a bridge across the Wisconsin river."

And

No. 235, *a.*, a bill to alter the boundaries of the town of Calumet, Fond du Lac county.

Also

No. 11, *a.*, Memorial to Congress in relation to a mail route,

A message in writing from the Governor, by George P. Delaplaine, Esq., private secretary :

EXECUTIVE DEPARTMENT,
Madison, March 12, 1851.

To the Assembly—

I have this day approved, signed and deposited in the office of the secretary of state, acts of the following titles :

An act to incorporate the Milwaukee and Lisbon plank road company.

An act to exempt certain persons from paying a poll tax.

An act to declare a certain road in the village of Hazle Green, a public highway.

An act to authorize the people of school district composed of parts of the towns of Porter and Union in the county of Rock, and part of the town of Dunkirk in the county of Dane, to build a school house on the public square in the village of Waucoma in the town of Porter.

An act for the laying out of a state road in the counties of Jefferson and Waukesha.

An act providing for the manner in which the fees of sheriffs shall be paid in certain cases.

An act to authorize Henry Thien and his associates to build a dam across the Milwauke river.

An act to authorize the trustees of the village of Sheboygan to borrow money.

An act to amend chapter 70 of the Revised Statutes.

An act to amend section 8, chapter 5, of the Revised Statutes.

And

An act to change the time for making assessments and collections of taxes in the county of Portage.

NELSON DEWEY.

A message from the senate, by William Hull, Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate has passed,

No. 101, S., a bill to legalize the acts of the officers of school district no. 1, in the town of Springfield Dane county.

And

No. 249, S., a bill to apportion and district anew the members of the senate and assembly of the state of Wisconsin.

In which the concurrence of the assembly is requested.

I am further directed to inform you that senate has concurred in the adoption of the resolution requesting the Governor to return to the legislature for further action "an act for the relief of the town of Green Bay."

The consideration of bills reported by a committe of the whole,

Was resumed.

No. 283, *a.*, a bill to extend the right of appeal to the circuit court in certain cases,

Was ordered to be engrossed and read a 3d time.

The amendments made in committee of the whole to bill

No. 361, *a.*, a bill to pay Moritz Schoeffler the sum therein named,

Were concurred in.

And said bill was ordered to be engrossed and read a third time.

The amendments made in committee of the whole to bill

No. 316, *a.*, a bill to provide for the payment of indebtedness to the capital of the school fund,

Were concurred in.

And said bill was ordered to be engrossed and read a third time.

The amendments made in committee of the whole to bill

No. 349, *a.*, a bill to permanently locate the seat of justice of Washington county,

Were concurred in.

Pending the question on ordering the engrossment and 3d reading of said bill,

Mr. Everly moved to lay the bill upon the table.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Bannister, Bird, Briggs, Cavney, Chase, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hemenway, H. Johnson, Kinney, Ladue, Lessey, Moore, Olmstead, Smith, Snover, Tompkins, Utley and Van Vliet—24.

Those who voted in the negative, were

Messrs. Bjornsen, Boyce, Bradley, Clothier, Cone, Dick, Gifford, Hale, Hulburt, J. B. Johnson, Julius, Lowth, Malmros, Moorman, Murphy, Muzzy, Osborne, Perkins, Price, Rodolf, Rogan, Spooner, Stock, Tohl, Waldo, Walker, Whitton, Wilson, Wing, and Horn (Speaker)—30.

The question recurring on ordering the engrossment and 3d reading of said bill,

Mr. Horn moved to strike out all after the enacting clause, and substitute as follows:

Sec. 1. The legal voters of the county of Washington are hereby authorized to vote for any place they may choose for the permanent location of the seat of justice of said county, at the next general election; the votes to be deposited in a separate ballot box to be provided for that purpose at each poll.

Sec. 2. The votes so taken, shall be canvassed and returned in the same manner as the votes for county officers are canvassed and returned, and if any one place or point shall receive a majority of all the votes cast on that subject, such place or point shall be the permanent seat of justice of said county from and after the expiration of the term of the temporary location of the said seat of justice at Port Washington.

Sec. 3 This act shall be published in the Washington Blade, Volksfreund, and Wisconsin Banner, under the direction of the Secretary of state, for four successive weeks after its passage.

Which was disagreed to.

And the ayes and noes having been called for and oreered,

Those who voted in the affirmative, were

Messrs Bannister, Bird, Bjornsen, Boyce, Briggs, Cavney, Doran, Eastman, Everly, Fuller, Groot, H. Johnson, J. B. Johnson, Kinney, Ladue, Moorman, Price, Rodolf, Rogan, Utley and Horn (Speaker)—21.

Those who voted in the negative, were

Messrs Bradley, Clothier, Cole, Cone, Dick, Gifford, Hale, Hemenway, Hulburt, Julius, Lowth, Moore, Murphy, Muzzy Olmstead, Osborne, Perkins, Smith, Snover, Spooner, Stock, Tohl, Van Vliet, Waldo, Walker, Whitton, and Wing—27.

Mr. Horn moved that the further consideration of said bill be indefinitely postponed,

Which was agreed to.

Mr. Olmstead moved that the vote by which the assembly refused to pass bill

No. 290, *a.*, a bill to authorize the electors of the county of Lafayette to vote on the removal of the county seat of said county,

Be reconsidered,

Which was agreed to,

The question then being on the passage of said bill,

On motion of Mr. Olmstead,

Said bill was referred to a select committee to consist of the members from Lafayette county,

Mr. J. B. Johnson, from the committee on enrollments, submitted the following

REPORT:

The committee on enrollments report as correctly enrolled,

No. 201, S., a bill to incorporate the Columbia and Sauk county bridge company.

No. 144, S., a bill to appropriate to N. W. Dean the sum therein named.

No. 123, S., a bill appropriating to Egbert Mosely the sum therein named.

No. 145, S., a bill to appropriate to Lafayette Kellogg the sum of money therein named.

No. 57, S., a bill to authorize the Aldermen of the third ward of the city of Milwaukee to pave certain streets in said ward.

No. 130, S., a bill to incorporate the Lake and Mississippi Steamboat company.

No. 175, S., a bill to amend section nine of chapter 76 of the Revised statutes.

No. 181, S., a bill to incorporate the Fox river manufacturing company.

No. 126, S., a bill relating to the duties of auctioneers.

No. 191, S., a bill to provide for laying out a state road from Fort Atkinson, to Palmyra in Jefferson county,

No. 238, S., a bill to appropriate to D. Holt Jr. the sum of money therein named.

No. 152, S., a bill to appropriate to Cannon and Sadd the sum therein named.

No. 215, S., a bill to appropriate a certain sum of money to pay the postage of the present session of the Legislature.

No. 193, S., a bill to authorize the laying out of a state road from Reedsburg in Sauk county to Stevens Point in Portage county.

No. 280, S., a bill to vacate a portion of the plat of the village of Fond du Lac.

No. 190, S., a bill to vacate a part of the town plat of the village of Westfield in Sauk county.

No. 182, S., a bill to authorize the Racine and Rock river plank road company to extend a branch of their road to Sugar Creek.

No. 188, S., a bill to authorize the erection of a free bridge across the Milwaukee river at Humbolt in Milwaukee county.

No. 154, S., a bill to authorize the construction of bridges across the Portage canal. J. B. JOHNSON.

Mr. Bannister, introduced the following resolution:

Resolved by the assembly (the senate concurring,) That the Governor be and he is hereby requested to return to the legislature, for its further action a bill entitled "an act to pay Wm. H. Howard the sum therein named," presented for his approval on the 11th inst., the same being incorrectly enrolled and the enrolling committee is hereby directed to have the same, when so returned by the Governor, enrolled according to the engrossed bill, as passed by the legislature.

And the rules having been suspended,

Said resolution was considered and adopted.

Mr. Osborne introduced the following resolution:

Resolved, by the the assembly, (the senate concurring) that there shall be printed five thousand copies of the laws of the present session of the legislature, for the use of the state, being one thousand more than the number required by the present statutes.

No. 374, *a.*, a bill to establish the minimum price of the University lands, and granting pre-emption rights thereon,

Which bill was reported yesterday, with an amendment, by a committee of the whole,

Was taken up.

The said amendment, (it being the substitute reported yesterday from the committee on University, and University lands,)

Was concurred in,

And said bill was ordered to be engrossed and read a third time.

The rules having been suspended,

Said bill was read a 3d time, passed

And the title agreed to.

The messages from the senate were taken up and considered.

The following committees of conference were severally appointed in relation to disagreeing votes of the two houses, on the following bills:

Messrs Doran, Tompkins and Price on bill

No. 134, *a.*, a bill to lay out and open a state road from Depere in Brown county to Willow river in St. Croix county.

Messrs Doran, Bird, and Walker on bill

No. 241, *a.*, a bill to provide for the superintendence of the state library.

Messrs Tompkins, Bird, and Rogan on bill

No. 234, a bill to appropriate Peter W. Matts the sum therein named.

Messrs Walker, Moorman and Louth on bill

No. 288, *a.*, a bill relating to the "swamp lands."

Messrs Eastman, Everly, and Barnett on bill

No. 117, *a.*, a bill to authorize Henry J. Elliot and his associates to build and maintain a bridge across Fox river a Delhi in the county of Winnebago.

And bill.

No. 176, *a.*, a bill to authorize the construction of a bridge across Wolf river at Winneconna.

Messrs Moorman, Fuller, and Bjornsen on bill

No. 216, *a.*, a bill to permit certain animals to run at large.

Messrs Bradley, Moorman, and Doran on bill

No. 300, *a.*, a bill granting to Henry Kingsbury the right to keep and maintain a ferry across the Wisconsin river at Table Rock in the county of Adams.

Messrs Wilson, Walker, and Jenkins on bill

No. 372, *a.*, a bill supplementary to "an act authorizing the collection and assessment of taxes in the city of Milwaukee," approved January 24, 1851.

The assembly, receded from their amendment to bill

No. 176, S., a bill to incorporate the Omro and Waupun plank road company.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed

No. 319, *a.*, a bill appropriating to Jerome R. Brigham a sum of money therein named;

No. 329, *a.*, a bill defining certain duties of the state superintendent.

No. 333, *a.*, a bill in relation to Normal schools.

No. 337, *a.*, a bill for the relief of the treasurer of the town of Kendall in the county of Lafayette, for the year 1850.

No. 355, *a.*, a bill to legalize school district no. 4 in the town of Ottowa.

No, 357, *a.*, a bill to appropriate Bird and Mills the sum therein named.

And,

No. 359, *a.*, a bill to authorize the Register of Deeds of Manitowoc county to obtain from the office of the Register of Deeds of Brown county certain instruments therein named;

A message from the Governor, in writing, by George P. Delaplaine Esq., private secretary :

EXECUTIVE DEPARTMENT,
MADISON, March 13, 1851.

To the Assembly :

The bill entitled "an act to provide for the apportionment "of school moneys by town superintendents, in towns on the "south line of the state," authorizes the town superintendents to apportion school monies, (which includes the income of the school fund,) to inhabitants who may send their children to school without the limits of this state, south of its south line, according to their number of children, between the ages of fourteen and twenty years, upon condition that such children shall attend such school taught by a teacher qualified by the laws of this state, during the year for which the monies are to be apportioned.

The constitution declares that the income of the school fund shall be applied to the support and maintenance of common schools in each school district.

Under this provision the income of the school fund must be apportioned only to regularly organized school districts, within this state, in their corporate capacity, and not to its individual members. The only manner in which the objects of this bill can be accomplished, is to authorize the inhabitants

so situated, to be regularly organized as a school district, under the laws of this state; so that proper school returns may be officially made to the proper officers of our state, to entitle them to such apportionment.

This bill also limits such apportionment to children, between the ages of fourteen and twenty years.

The constitution says that the school monies shall be distributed among the children and youth of the state, in proportion to their number, between the ages of four and twenty years. If it is right and proper that children thus situated, should receive the benefits of the school monies, there is no reason why those between the ages of four and fourteen years should be excluded.

This bill in letter and spirit contravenes, in the particulars stated, the constitution of this state. I therefore return it to the assembly, in which it originated, without my signature.

(Signed) NELSON DEWEY.

The foregoing communication was read,

And the assembly proceeded to reconsider the vote by which they passed bill

No. 199, *a.*, a bill to provide for the apportionment of school monies to town superintendents in towns bordering on the south line of the state.

The question, "shall this bill pass, notwithstanding the objections of the Governor?"

Was put,

And decided in the negative.

None voted in the affirmative.

Those who voted in the negative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Cone, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Gifford, Groot, Hale, Hemenway, H. Johnson, J. B. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Rodolf, Rogan, Smith, Snover, Stock, Tompkins, Tregaskis, Utley, Van Vliet, Walker, Whit-

ton, Wilson, Wing and Horn (speaker,)—50.

The consideration of the messages from the senate was resumed.

The following bills, to wit:

No. 101, S., a bill to legalize the acts of the officers of school district no. 1 in the town of Springfield, Dane county.

No. 207, S., a bill extending the time of payment of the interest on mortgages for the loan of school money.

No. 233, S., a bill to appropriate money for the purposes therein mentioned.

No. 249, S., a bill to apportion and district anew the members of the senate and assembly of the state of Wisconsin,

And,

No. 259, S., a bill to appropriate Beriah Brown the sum therein named.

Were severally read the 1st and 2d time.

On motion of Mr. Walker,

Said bill no. 249, S., was made the special order for this evening.

Mr. Tompkins, from the majority of the committee on claims, to whom the same was referred, reported back bill

No. 140, S., a bill further to appropriate money to pay the contingent expenses of the state superintendent of public instruction for the year 1850,

Without amendment,

And recommended its passage.

Mr Rogan, of said committee not concurring in said report.

Mr. Rogan, from same commttee, to whom was referred bill

No. 376, *a.*, a bill to pay J. E. Marsh the sum therein named.

Reported back said bill, asking to be discharged from the further consideration thereof.

The committee was so discharged.

Mr. Bird, from the committee of conference on the disagreeing vote of the two houses on bill

No. 234, *a.*, a bill to appropriate Peter W. Matts the sum therein named.

Submitted the following

REPORT:

The committee of conference on the part of the assembly, on the disagreeing vote of the two houses on bill no. 234, *a.*, report that they have had the sume under consideration, and recommend that the assembly insist on their refusal to concur in the amendment of the senate to said bill; and they also recommend an amendment to said bill, as follows;

Strike out the amount of the appropriation, "three hundred and ninety-seven dollars," and insert in lieu thereof "two hundred and eighty-five dollars and thirteen cents."

All of which is respectfully submitted.

A. B. BIRD P. ROGAN W. F. TOMPKINS,	Committee of Conference,

The report of said committee was adopted.

A message from the senate, by Wm. Hull, Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that senate has passed,

No. 248, S., a bill to provide for levying a state tax.

In which the concurrence of the assembly is requested.

On motion of Mr. Rodolf,

The assembly resolved itself into committee of the whole, for the consideration of the file of senate bills in which progress had been reported by a former committee.

And after some time spent therein,

The committee rose, and by their chairman reported progress.

And asked leave to sit again.

Leave was granted.

Mr. Bird moved that bill

No. 197, *a.*, a bill to authorize the construction of a boom across Wolf river.

Be taken from the table for further consideration.

Which was agreed to.

Mr. Bird moved to amend the said bill by striking out all after the enacting clause, and inserting sections as follows;

Sec. 1. There is hereby appropriated to D. T. Dickson to be paid out of any money not otherwise appropriated, the sum of twenty dollars and fifty cents in full for blanks furnished and printing done for the supreme court, during the year 1848 and June 9th, 1849.

Sec. 2. There is hereby appropriated to Tibbits, Gordon, & Co., to be paid out of any monies in the State Treasury not otherwise appropriated, the sum of five dollars and forty-four cents, for locks and latch for the office of Secretary of State.

And the question being on agreeing to said amendment,

The said bill and amendment

Were referred to committee on claims.

Messrs. Cone and Tinker had leave of absence.

The assembly adjourned until half past 7 o'clock P. M.

7½ O'Clock P. M.

The special order for this evening, no. 244, S.,

Was taken up.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole, for the consideration of said bill

Mr. Bannister in the chair,

And after some time spent therein,

The committee rose, and by their chairman reported said bill

With a substitute therefor.

The said substitute (being the same as bill no. 299, *a.*,) a bill to provide for the apportionment of the members of the senate and assembly, which was passed by the assembly on the 6th instant.

Pending the question on the adoption of said substitute,

Mr. Gifford moved to amend the section by striking out the word "Genessee," and inserting in lieu thereof the word "Muskego."

Which was disagreed to.

And the ayes and noes having been called for and ordered.

Those who voted in the affirmative, were

Messrs. Barnett, Boyce, Cavney, Clothier, Cole, Cone, Doran, Everly, Fuller, Gifford, Groot, Hemenway, Hulburt, J. B. Johnson, Julius, Moore, Muzzy, Olmstead, Rodolf, Rogan, Smith, Stock, Tinker, Tompkins, Waldo, and Wing—26.

Those who voted in the negative were,

Messrs. Bannister, Bird, Bradley, Briggs; Chase, Eastman French, Hale, Henning, Jenkins. H. Johnson, Kinney, Ladue. Lessey, Lowth, Malmros, Moorman, Murphy, Perkins, Price, Snover, Spooner, Utley, Van Vliet, Walker, Whitton and Wilson—26.

Mr. Jenkins moved the previous question.

Which was seconded.

And the question, "shall the main question be now put ?"

Was decided in the affirmative.

The question on the adoption of the substitute reported by the committee of the whole.

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Bird, Bradley, Briggs, Cole, Cone, Eastman, French, Hale, Henning, H. Johnson, Julius, Ladue, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead. Price, Rodolf, Rogan, Smith, Snover, Spooner, Tinker, Utley, Waldo, Walker, Whitton and Wilson—31.

Those who voted in the negative, were

Messrs, Barnett, Cavney, Chase, Clothier, Doran, Easton, Everly, Fuller, Gifford, Groot, Hemenway, Hulburt, Jenkins, J. B. Johnson, Kinney, Lessey, Moore, Perkins, Stock, Tompkins, Van Vliet, and Wing—22.

Said bill was then ordered to be read a third time.

The rules were suspended.

And said bill was read a third time.

And the question on its passage

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs Barnett, Bird, Bradley, Briggs, Cole, Eastman, Easton, French, Fuller, Hale, Henning. H. Johnson, Julius, Ladue, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead, Osborne, Price, Rodolf, Rogan, Smith, Snover, Spooner, Tinker, Utley, Waldo, Walker, and Whitton—32.

Those who voted in the negative, were

Messrs, Bannister, Cavney, Chase, Clothier, Cone, Doran, Everly, Gifford, Groot, Hemenway, Hulburt, Jenkins, J. B. Johnson, Kinney, Lessey, Moore, Perkins. Stock, Tompkins, Van Vliet, Wilson and Wing—22.

Mr. Lowth, from the committee of conference, appointed on the part of the assembly, in relation to the disagreeing vote of the two houses on said bill no. 288, *a.*,

Reported a recommendation that the assembly concur in the amendments of the senate to said bill.

The question on the adoption of the said report

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Bird, Bradley, Briggs, Chase, Cole, Doran, Eastman, Fuller, Hemenway, Henning, Hulburt, H. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Muzzy, Osborne, Perkins. Price, Rodolf, Rogan, Smith, Snover, Stock, Tinker, Tompkins, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, and Wing—38.

Those who voted in the negative were,

Messrs. Barnett, Cavney, Clothier, Cone, Groot, Hale, J. B. Johnson, Moore and Olmstead—9.

Mr. J. B. Johnson, from the committee on enrollments, submitted the following

REPORT;

The committee on enrollments have presented to His Excellency, the Governor for his approval

An act to authorize the laying out of a state road therein named.

An act to incorporate the Green Bay, Milwaukee and Chicago rail road company.

An act to pay Benton & Garfield the sum therein named.

An act to appropriate to Demming Fitch the sum therein named.

An act to incorporate the village of Delevan.

An act to appropriate to J. Kip Anderson the sum of money therein named.

An act to incorporate the Fort Winnebago, Baraboo Valley and Minnesota rail road company.

An act to amend part 1, title 3, chapter 10, section 28, of the Revised Statutes.

An act to amend section 28, of chapter 131, title 29 of the Revised Statutes.

An act to authorize the construction of a dam across the Pickatonica river, in Lafayette county.

An act to authorize the citizens of Waucoma to build a meeting house on the public square of said village.

An act to appropriate to William H. Howard the sum therein named.

An act to provide for the election of county treasurers and clerks of the boards of supervisors.

Memorial to Congress in relation to a mail route.

Memorial to Congress asking for a mail route from the village of West Bend to the town of Wayne, in the county of Washington.

J. B. JOHNSON.

The enrolled bills reported to-day, were severally signed by the speaker.

And were thereupon transmitted to the senate.

On motion of Mr. Bird,

The assembly adjourned.

FRIDAY, March 14th, 9½ A. M.

Prayer by the Rev. Mr. Woodward.

The reading of the journal of yesterday was dispensed with.

The resolution introduced yesterday, by Mr. Osborne, relative to the printing of the laws of this session,

Was adopted.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed, bills

No, 137, *a.*, a bill to incorporate the Port Washington and Fond du Lac Rail Road company ;

And

No. 338, *a.*, a bill in relation to bridges across navigable streams.

Mr. Bjornson, from the committee on legislative expenditures, reported bill

No. 378, *a.*, a bill to appropriate to certain persons the sums therein named ;

Which was read the first and second time.

And also, reported back bill no. 311, *a.*,

Without amendment,

Recommending its passage.

The messages from the senate were taken up and considered.

No. 248, S., a bill to provide for levying a state tax;

Was read the first and second time.

The rules were suspended, and said bill was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Dick, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hulburt, Jenkins, H. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Moorman, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Smith, Snover, Spooner, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—46.

None voted in the negative.

The amendments of the Senate to bills

No. 174, *a.*, a bill to levy a tax on dogs;

And

No. 291, *a.*, a bill to authorize the collection and return of taxes in the town of Willow Springs in La Fayette county;

Were severally concurred in.

The following bills, to wit:

No. 295, *a.*, a bill to legalize a state road therein named.

No. 308, *a.*, a bill to amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin rivers and connecting the same by a canal.

No. 310, *a.*, a bill to incorporate the Wisconsin Manufacturing company of Grand Chute.

No. 320, *a.*, a bill to establish the "ten hour system" of labor.

No. 324, *a.*, a bill to legalize the organization and acts of school district no. 4 in the town of Ashippun Dodge county,

No. 425, *a.*, a bill to change the name of the village of Jefferson, in Grant county.

No. 329, *a.*, a bill defining certain duties of the State Superintendant.

No. 333, *a.*, a bill in relation to Normal schools;

No. 337, *a.*, a bill for the relief of the Treasurer of the town of Kendall in the county of Lafayette, for the year 1850.

No. 339, *a.*, a bill to authorize the town authorities of Fort Winnebago to construct a free bridge across the Wisconsin river.

No. 345, *a.*, a bill to authorize the construction of a bridge across Wolf river at Mukwa in the county of Waupacca.

No. 351, *a.*, a bill to legalize school district no. 2 in Fort Winnebago, and authorize a tax.

No. 355, *a.*, a bill to legalize school district no. 4 in the town of Ottowa.

No. 359, *a.*, a bill to authorize the Register of Deeds of Manitowoc county to obtain from the office of the Register of Deeds of Brown county certain instruments therein named;

No. 360, *a.*, a bill to authorize school district No. 4, in the town of Walwick, in the county of Iowa, to draw its proportion of school monies for 1850.

No. 364, *a.*, a bill to vacate a part of a territorial road in Dodge county, surveyed by Victor M. Adams, under the direction of Isaac Noyes and Benjamin Claussen, commissioners, and established by an act of the territorial legislature; approved Feb. 22, 1850,

No. 373, *a.*, a bill to incorporate the Delevan Railroad company;

And

Said bill no. 137, *a.*,

Were severally read a third time, passed,

And the titles agreed to.

Said bill No. 338, *a.*, was read a third time,

And the question being on its passage,

On motion of Mr. Briggs,

Said bill was laid on the table.

No. 307, *a.*, a bill to appropriate to H. Sadd the sum therein named;

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Dick, Eastman, Easton, Estabrook, Everly, Fuller, Groot, Hulburt, Jenkins, H. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Moorman, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Smith, Snover, Spooner, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—44.

Messrs. Barnett, French and Hale voted in the negative—3.

The title was agreed to.

No 332, *a.*, a bill to appropriate a certain sum of money therein named;

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bird, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Dick, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hulburt, Jenkins, H. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—45.

None voted in the negative.

The title was agreed to.

No. 318, *a.*, a bill to appropriate King and Fuller a certain sum of money.

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Eastman, Easton, Estabrook, Everly, French, Groot, Hulburt, Jenkins, H. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Olmstead, Osborne, Perkins, Rodolf, Smith, Snover, Spooner, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—41.

Mr. Muzzy voted in the negative—1.

The title was agreed to.

No. 319, *a.*, a bill appropriating to Jerome R. Brigham a sum of money therein named.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Eastman, Easton, Estabrook, Everly, French, Groot, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—44.

None voted in the negative.

The title was agreed to.

No. 346, *a.*, a bill to appropriate to Moritz Schoeffler the sum therein named,

Was read a 3d time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative, were,

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Cone, Dick, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hulburt, Jenkins, H. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover,

Spooner, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (Speaker)—44.

None voted in the negative.

The title was agreed to.

No. 347, *a.*, a bill to appropriate William Gansman the sum therein named,

Those who voted in the affirmative, were

Mesers Bannistet, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Smith, Snover, Spooner, Stock, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (Speaker)—50.

None voted in the negative.

The title was agreed to.

No. 350, *a.*, a bill to appropriate Ole Torgeson, the sum therein named,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Muzzy, Osborne, Perkins, Rodolf, Rogan, Smith, Seaver, Snover, Spooner, Stock, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—50.

Mr. H. Johnson voted in the negative,—1.

The title was agreed to.

No. 357, *a.*, a bill to appropriate Bird and Mills the sum therein named,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Cole, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hemenway, Henning, Hulburt, Jenkins, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Muzzy, Osborne, Perkins, Rodolf, Smith, Snover, Spooner, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—45.

Those who voted in the negative, were

Messrs Clothier, Hale, H. Johnson and Stock—4.

The title was agreed to.

No. 356, *a.*, a bill to appropriate A. P. Thompson the sum therein named,

Was read a 3d time,

And the question on its passage

Was decided in the affirmative.

Thore who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Chase, Clothier, Cole, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Moore, Muzzy, Osborne, Perkins, Rodolf, Rogan, Snover, Stock, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing, and Horn, (speaker)—46.

Those who voted in the negative, were

Messrs Cavney, Hale, Smith and Spooner—4.

The title was agreed to.

No. 358, *a.*, a bill to appropriate J. T. Wilson the sum therein named,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Moore, Muzzy, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—50.

None voted in the negative.

The title was agreed to.

No. 366, *a.*, a bill to appropriate J. H. Lewis the sum therein named

Was read a third time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Briggs, Chase, Clothier, Cole, Dick, Doran, Eastman, Easton, Everly, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Muzzy, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Wilson, Wing and Horn (speaker)—49.

Messrs French, H. Johnson and Whitton voted in the negative—3.

The title was agreed to.

No. 367, *a.*, a bill to appropriate R. L. Ream the sum therein named,

Was read a third time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bird, Bjornsen, Boyce, Briggs, Dick, Eastman, Easton, Everly, French, Groot, Hemenway, Henning, Jenkins, Julius, Ladue, Lessey, Lowth, Malmros, Osborne, Smith

Snover, Spooner, Stock, Utley, Walker, Whitton, and Wilson—27.

Those who voted in the negative were.

Messrs. Bannister, Barnett, Cavney, Chase, Clothier, Cole, Hale, Hulburt, H. Johnson, J. B. Johnson, Kinney, Moore, Muzzy, Perkins, Rodolf, Rogan, Tompkins, Tregaskis, Van Vliet, Waldo, Wing and Horn (speaker)—22.

The title was agreed to.

No. 368, *a.*, a bill to appropriate Silas Chapman the sum therein named

Was read a third time.

And the question on its passage

Was decided in the negative.

Those who voted in the affirmative were,

Messrs. Bird, Bjornsen, Boyce, Briggs, Doran, Eastman, Easton, Groot, Hemenway, Henning, Jenkins, Julius, Ladue, Lowth, Malmros, Smith, Spooner, Walker, Whitton and Wilson—20

Those who voted in the negative were,

Messrs. Bannister, Barnett, Cavney, Chase, Clothier, Cole, Dick, French, Hale, Hulburt, H. Johnson, J. B. Johnson, Kinney, Lessey, Moore, Muzzy, Olmstead, Perkins, Rodolf, Rogan, Snover, Stock, Tompkins, Tregaskis, Van Vliet, Waldo, Wing and Horn (speaker)—29.

No. 370, *a.*, a bill to appropriate Waite & McLaughlin the sum therein named

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were.

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Cole, Dick, Doran, Eastman, Easton, Everly, French, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey Lowth, Malmros, Moore, Muzzy, Olmstead, Osborne, Perkins, Rodolf. Rogan, Smith, Snover, Spooner, Stock, Tomp-

kins, Tregaskis. Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—48.

None voted in the negative.

The title was agreed to.

No. 371, *a.*, a bill to appropriate James Densmore the sum therein named

Was read a third time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative were

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Dick, Doran, Eastman, Easton, Estabrook, Everly, French. Fuller, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson. Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Stock, Tompkins, Tregaskis, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—52.

None voted in the negative.

The title was agreed to.

No. 377, *a.*, a bill to provide for the payment of the contingent expenses of the state of Wisconsin for the years 1850, and 1851

Was read a third time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase. Cole, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros. Moore, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—51.

None voted in the negative.

The title was agreed to.

Bills reported by a committee of the whole being under consideration,

The amendmeuts of the committee to said bill no. 311, *a.*,

Were concurred in.

And the question being on ordering its engrossment and 3rd reading,

Mr. Spooner moved to amend by striking out the words "one paper in each county of the State, wherein a paper is printed," and inserting "each newspaper in the State, also by striking out the word "fifty," and inserting the words "twenty-five."

Which was agreed to.

Mr. Walker moved that the bill be laid on the table.

Which was agreed to.

On motion of Mr. Walker,

No. 237, *a.*, a bill to appropriate H. M. Chapman the sum therein named

Was taken up.

And the question being on ordering the engrossment and third reading of said bill,

Mr. Walker moved to amend by inserting the following section :

Sec. 1. There is hereby annually appropriated to the secretary of State, State Treasurer and Superintendent of public instruction, to be paid quarterly out of the State Treasury, the sum of six hundred dollars to each of the said officers, to defray the contingent expenses of their respective offices.

Which was agreed to,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Cole, Doran, Estabrook, Everly, Fuller, Hemenway, Hulburt, Jenkins, Julius, Ladue, Lowth, Malmros, Moorman, Muzzy, Osborne, Rodolf, Smith, Spooner, Tomp-

kins, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—32.

Those who voted in the negative were,

Messrs. Barnett, Clothier, Dick, Easton, French, Groot Hale, Hemenway, H. Johnson, J. B. Johnson, Lessey, Moore, Olmstead, Perkins, Rogan and Stock—16.

Said bill was then ordered to be engrossed and read a third time.

A message from the senate by William Hull, Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate has passed

No. 377, *a.*, a bill to provide for the payment of the contingent expenses of the State of Wisconsin, for the year 1850 and 1851.

No. 157, *a.*, a bill to amend an act concerning the fees of certain officers and other persons:

No. 170, *a.*, a bill concerning sales for taxes.

No. 213, *a.*, a bill to provide for the fees of sheriffs, and

No. 269, *a.*, a bill to appoint certain commissioners therein named,

Without amendment.

And

No. 160, *a.*, a bill to prevent the killing of game therein named in certain seasons of the year,

With amendments.

In which the concurrence of the assembly is requested.

And further, that senate has adopted the resolution requesting the Governor to return an act appropriating to Wm. H. Howard the sum therein named.

I am further directed to inform you that senate has passed

No. 168, *a.*, a bill in relation to the improvement of the capitol.

No. 38, *a.*, a bill relating to the assessment and taxation of personal and real property.

No. 238, *a.*, a bill to authorize the construction of a dam across the Barraboo river;

And

No. 114, *a.*, a bill to appropriate to James Campbell the sum therein named;

With amendments,

In which the concurrence of the assembly is requested.

And

No. 296, *a.*, a bill to legalize the acts of town superintendents of the town of Concord.

No. 301, *a.*, a bill to authorize George Stevens and others to improve the Little Bull Falls on the Wisconsin river and repeal an act approved 9th Feb'y 1850.

And

No. 369, *a.*, a bill to incorporate the St. Croix Boom company.

Without amendment.

Senate has also passed

No. 248, S., a bill to provide for levying a state tax.

No. 253, S., a bill to appropriate to the several persons the several sums therein named.

And

No. 260. S., a bill to appropriate to Duncan C. Reed the sum therein named.

In which the concurrence of assembly is requested.

I am further directed to inform you that senate has adopted the report of the com. on conference on the disagreeing vote on bill no. 117, *a.*

Mr. Eastman submitted the following

REPORT:

The committee of conference on the disagreeing vote of the two houses, on bill

No. 117, *a.*, a bill to authorize Henry J. Elliott and his associates to build and maintain a bridge across Fox river at Delhi, in the county of Winnebago;"

Recommend that the senate recede from its amendment to section 1 of said bill.

The same committee also recommend that the assembly concur in the amendment of the senate to Bill no. 176, *a.*, a bill to authorize the construction of a bridge across Wolf river at Winneconna.

EDW'D EASTMAN, Ch'n.

The report of the committe was adopted.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed,

Said bill no. 237, *a.*,

Mr. Rogan from the committee on claims, to whom the same was referred, reported back bill

No. 197, *a.*, a bill to authorize the construction of a boom across Wolf river,

With amendments,

Which were concurred in.

And said bill was ordered to be engrossed and read a third time.

On motion of Mr. Jenkins,

The assembly resolved itself into committee of the whole, for the consideration of the general file of bills.

Mr. Jenkins in the chair.

And after some time spent therein,

The committee rose, and by their chairman, reported bills,

No. 101, S.; a bill to legalize the acts of the officers of school district no. 1, in the town of Springfield, Dane county.

No. 140, S., a bill to further appropriate money to pay the contingent expenses of the State Superintendent of Public Instruction for 1850.

No. 200, S., a bill to appropriate to J. C. Fairchild the sum therein named.

No. 202, S., a bill to appropriate to Moritz Schoeffler the sum therein named.

No. 203, S., a bill appropriating to F. F. Davis, Sheriff of Fond du Lac county the sum therein named.

No. 204, S., a bill to appropriate Jackson Richardson or his legal representatives, the sum therein named.

No. 205, S., a bill to appropriate to Rood and Whittemore the sum therein named.

No. 206, S., a bill to amend chap. 15 of the revised statutes, and to prescribe the manner in which delinquent tax lands bid off by the counties shall be taxed.

No. 207, S., a bill extending the time of payment of the interest on mortgages for the loan of school money.

No. 209, S., a bill to vacate the town plat of Dunkirk Falls.

No. 210, S., a bill to provide for laying out a state road from Prairie du Sac in Sauk county to Prairie du Chien in Crawford county.

No. 212, S., a bill to prohibit the appointment of county agents and for other purposes.

No. 213, S., a bill to amend an act entitled "an act to incorporate the Southport and Beloit road company;" approved March 6, 1848,

No. 214, S., a bill to change the name of the village of Norris in Sauk county.

No. 219, S., a bill to declare a certain street a public highway.

No. 220, S., a bill to incorporate the Sheboygan Plank road company.

No. 222, S., a bill to incorporate the Wilmot Academy.

No. 233, S., a bill to appropriate money for the purposes therein named.

No. 235, S., a bill to incorporate the Delevan branch rail road company.

No. 237, S., a bill to incorporate the Madison and Prairie du Chien rail road company.

No. 239, S., a bill to appropriate to E. D. Masters the sum therein named.

No. 244, S., a bill to authorize the construction of a free bridge across Fox river at Bloomingdale.

No. 245, S., a bill to authorize the laying out of state roads therein named,

No. 246, S., a bill to appropriate to J. C. Fairchild the sum therein named.

No. 247, S., a bill to repeal sec. 47 of chap. 9 of the revised statutes.

No. 251, S., a bill to appropriate a certain sum of money.

No. 256, S., a bill to appropriate Matthew Woods the sum therein named.

No. 257, S., a bill to appropriate James Helpin the sum therein named.

No. 258, S., a bill to pay the chaplains employed during the present session of the legislature.

No. 259, S., a bill to appropriate to Beriah Brown the sum therein named.

And

No. 376, *a.*, a bill to pay J. L. Marsh the sum therein named.

Without amendment.

The report of the committee of whole being under consideration,

Said bills no. 101, 140, 200, 202, 203, 204, 205, 207, 212, 214, 219, 233, 237, 239, 246, 247, 251, 256, 257, 258, 259,

Were severally ordered to be read a third time.

Said bill no. 376, *a.*, was ordered to be engrossed for a third reading.

On motion of Mr. Chase,

Said bill no. 220, and 222, S., were referred to a select committee.

Messrs Spooner, Easton, and Estabrook were appointed such committee.

On motion of Mr. Lowth,

Said bill no. 206, S., was laid on the table,

On motion of Mr. Spooner,

Said bill no. 235, S., was laid on tne table.

The rule was suspended in relation to the remainder of said bills reported by the committee of the whole.

Said bills no. 101, 207, 210, 219, S., were severally read a 3d time, passed

And the titles agreed to.

Said bill no. 140, S.,

Was read a 3d time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative, were,

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Dick, Doran, Estabrook, Everly, Groot, Hemenway, Hulburt, Jenkins, Julius, Kinney, Ladue, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Smith, Snover, Stock, Tompkins, Tregaskis, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—45.

Those who voted in the negative, were

Messrs Clothier, French, Fuller, Hale, H. Johnson, J. B. Johnson, Lessey, Rogan and Spooner,—9.

The title was agreed to.

Said bill no. 200, S.,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Doran, Everly, French, Groot, Hemenway, Hulburt, Jenkins, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Osborne, Rodolf, Rogan, Smith, Snover, Stock, Tompkins, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—40.

Those who voted in the negative, were

Messrs Easton, Estabrook, Fuller, Hale, H. Johnson, J. B. Johnson, Muzzy, Olmstead, Per-kins, and Spooner,—10.

The title was agreed to.

Said bill no. 202, S.,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Briggs, Cavney, Chase, Cole, Doran, Easton, Estabrook, Everly, French, Fuller, Groot, Hemenway, Hulburt, Jenkins, Julius. Kinney, Ladue, Lowth, Malmros, Moore, Muzzy, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Waldo, Walker, Whitton, Wilson, Wing and Horn, (speaker)—41.

Those who voted in the negative, were

Messrs Boyce, Clothier, Hale, H. Johnson, J. B. Johnson, Lessey, Moorman and Olmstead—8.

The title was agreed to.

Said bill no. 203, S., a was read a 3d time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Doran, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Waldo, Walker, Whitton, Wilson, Wing and Horn, (speaker)—49.

None voted in the negative.

The title was agreed to.

Said bill no. 204, S., was read a 3d time,

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Easton, Estabrook,

Everly, Fuller, Groot, Hulburt, Jenkins, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Murphy, Olmstead, Perkins, Price, Rodolf, Rogan, Smith, Snover, Spooner, Tompkins, Tregaskis, Walker, Wing and Horn, (speaker)—40.

Those who voted in the negative, were

Messrs Bird, French, Hale, Hemenway, H. Johnson, Stock, Waldo, and Whitton,—8.

The title was agreed to.

Said bill no. 205, S., was read a 3d time.

And the question on its passage,

Was decided in the affirmative,

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—50.

None voted in the negative.

The title was agreed to.

Said bill no. 233, S., was read a 3d time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister. Barnett, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Doran, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—49.

Mr. Easton voted in the negative—.

The title was agreed to.

Said bill no. 239, S.,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Easton, Estabrook, Everly, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—49.

Mr. French voted in the negative—1.

The title was agreed to.

Said bill no. 246, S.,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative were.

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Murphy, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—47.

None voted in the negative.

The title was agreed to.

Said bill no. 251, S.,

Was read a third time,

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Mesers Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Murphy, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Waldo, Walker, Whitton, Wilson, Wing and Horn (Speaker)—49.

None voted in the negative.

The title was agreed to.

Said bill 256, S.,

Was read a third time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Murphy, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—49.

None voted in the negative.

The title was agreed to.

Said bill no 257, S.,

Was read a third time,

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Rogan, Smith, Snover,

Spooner, Stock, Tompkins, Tregaskis, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—50.

None voted in the negative.

The title was agreed to.

Said bill no 258, S.,

Was read a third time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Cole, Dick, Doran, Easton, Estabrook, Everly, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Murphy, Olmstead, Osborne, Perkins, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Waldo, Walker, Wilson and Wing—43.

Those who voted in the negative were,

Messrs Clothier, French, Muzzy, Rodolf, Whitton and Horn (speaker)—6.

The title was agreed to.

Said bill no. 259, S.,

Was read a 3d time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Easton, Estabrook, Everly, French, Fuller, Groot, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Murphy, Muzzy, Olmstead Osborne, Perkins, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—49.

None voted in the negative.

The title was agreed to.

Said bill no. 376, S.,

Was read a third time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Bird, Bjornsen, Boyce, Briggs, Cavney, Chase, Cole, Dick, Doran, Easton, Estabrook, Everly, French Fuller, Groot, Hemenway, Hulburt, Jenkins, H. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Rodolf, Smith, Snover, Spooner, Stock, Tompkins, Tregaskis, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing, and Horn (speaker)—48.

Messrs Clothier, and J. B. Johnson voted in the negative, —2.

The title was agreed to.

Said bill no. 209, S., was read a 3d time.

And the question on its passage,

Was decided in the negative.

Mr. Spooner, from the select committee, to whom the same were referred, reported back said bill no. 220, S.,

With amendment.

And said bill no. 222, S.,

Without amendment.

The rules having been suspended,

Said bills were read a 3d time, passed

And the titles agreed to.

Said bill no. 212, S., was read a 3d time.

And the question pending on its passage,

Mr. Rodolf moved that the enacting clause thereof be stricken out;

Which was disagreed to.

Said bill was passed,

And the title agreed to.

Said bill no. 237, S., was read a 3d time;

And pending the question on its passage,

Mr. Rodolf moved that it be laid on the table;

Which was disagreed to.

Said bill was passed,

And the title agreed to.

The amendments of the committee of the whole to said bill no. 245, S.,

Were concurred in.

And said bill was read a 3d time, passed,

And the title agreed to.

Said bill no, 247, S., was read a third time.

And the question on its passage,

Was decided in the negative.

Said bill no. 244, S., was read a 3d time,

And the question being on its passage;

Mr. Rodolf had unanimous leave to amend by substituting the following sections, for the three in said bill to wit:

Sec. 1. Robert G. Hurst, and Evred H. Erwin, their heirs, executors, administrators and assigns, shall have the exclusive right and privilege for the period of ten years, of keeping and maintaining a ferry across the Wisconsin river, from fraction number three in section number three in township number eight north of range number two east in Richland county, and near the mouth of Bear creek to a point opposite on the south side of said river in Iowa county.

Sec. 2. The said ferry shall be subject to the same rules and regulations, as to the rates of toll and manner of conducting the same, as ferries now are or may hereafter be by general law of this state regulating ferries generally.

Sec. 3. That the said Robert G. Hurst and Evred H. Erwin shall be required to keep and maintain at all times a ferry, adapted to the wants of the public.

Said bill was passed and the title amended so as to read as follows:

"A bill to authorize a ferry across the Wisconsin river."

The amendments of the committee of the whole to said bill no. 213, S.,

Were concurred in;

And said bill was read a 3d time, passed

And the title agreed to,

Mr. J. B. Johnson, from the committee on enrollments, submitted the following

REPORT:

The committee on enrolled bills report as correctly enrolled,

No. 194, S., a bill to appropriate to E. B. Quiner the sum therein named.

No. 179, S., a bill to appropriate to William E. Cramer the sum therein named.

No. 185, S., a bill to pay William Doughty the principal and interest due on five bonds issued by the territory of Wisconsin.

No. 164, S., a bill to provide for holding the terms of the supreme and circuit courts as herein mentioned.

No. 159, S., a bill concerning the writ of error.

No. 198, S., a bill providing for the appointment of commissioners to review and survey a territorial road therein named.

No. 183, S., a bill to incorporate the Milwaukee and Wauwautosa plank road company.

No. 207, *a.*, a bill to incorporate the Richland city bridge company.

No. 313, *a.*, a bill to authorize the inhabitants of Union school district composed of districts five, seven, and eight in the towns of Porter, Union and Dunkirk in the counties of Dane and Rock to raise a tax for building a school house.

No. 200, *a.*, a bill to authorize Thomas J. Townsend to keep a ferry across Fox river.

No. 192, *a*, a bill to grant to the Neenah and Manitowoc plank road company the right of way through the State lands.

No. 277, *a.*, a bill to permanently locate the county seat of Columbia county.

No. 215, *a.*, a bill to vacate a part of the town plat of the village of Oshkosh, and to legalize a subsequent survey.

No. 225, *a.*, a bill to lay out certain roads therein named.

No. 184, *a.*, a bill to provide for laying out a state road therein named.

No. 259, *a.*, a bill for the relief of the several counties of this State.

No. 304, *a.*, a bill to appropriate to the county of Rock the sum therein named.

No. 375, *a.*, a bill supplementary and amendatory to an act entitled, "an act to incorporate the city of Milwaukee and acts amendatory thereto." J. B. JOHNSON.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled,

No. 191, *a.*, a bill for the relief of the town of Green Bay.

No. 214, *a.*, a bill to pay to William H. Howard the sum therein named.

No. 288, *a.*, a bill relating to the "Swamp lands."

No. 314, *a.*, a bill for the relief of school district no. 4, of the towns of Janesville and Harmony, in Rock county.

No. 315, *a.*, a bill to legalize certain acts of the district board of school district no. 9. in the town of Eagle, in Waukesha county, for the year 1850.

And

No. 12, *a.*, memorial to Congress for a grant of land to aid in the construction of a rail road from Fort Winnebago to the mouth of the St. Croix river, on the Mississippi river.

Said enrolled bills and memorial were severally signed by the Speaker.

And were thereupon transmitted to the Senate.

On motion of Mr. Bjornsen,

The assembly adjourned until 3o'clock P. M.

THREE O'CLOCK, P M.

The messages from the senate were taken up and considered.

No. 253, S., a bill to appropriate to the several persons the several sums therein named

Was read the first and second time.

And referred to the committee on legislative expenditures.

No. 260, S , a bill to appropriate D. C. Read the sum therein named.

Was read the first and second time.

Mr. J. B. Johnson, from the committee on enrollments, submitted the following

REPORT:

The committee on enrollments have presented to His Excellency, the Governor, for his approval

An act to appropriate a certain sum of money to pay the postage of the present session of the legislature.

An act to authorize the construction of bridges across the Portage canal.

An act relating to the duties of auctioneers.

An act authorizing the Racine and Rock river plank road company to extend a branch of their road to Sugar Creek Prairie.

An act to amend section 9, of chap. 76, of the Revised Statutes.

An act to appropriate to D. Holt Jr. the sum of money therein named.

An act to incorporate the Fox river manufacturing company.

An act to provide for laying out a state road from Fort Atkinson to Palmyra in Jefferson county.

An act to appropriate to Cannon & Sadd the sum therein named.

An act to incorporate the Lake and Missisiippi steamboat company.

An act to appropriate to Lafayette Kellogg the sum of money therein named.

An act to appropriate to N. W. Dean the sum therein named.

An act to incorporate the Columbia and Sauk county bridge company.

An act to authorize the aldermen of the third ward of th e city of Milwaukee to pave certain streets in said ward.

An act appropriating to Egbert Mosely the sum therein named.

An act to vacate a part of the town plat of the village of Westfield, in Sauk county.

An act to authorize the erection of a free bridge across the Milwaukee river at Humboldt in Milwaukee county.

An act to vacate a portion of the plat of the village of Fond du Lac.

An act to authorize the laying out of a state road from Reedsburgh in Sauk county, to Stevens Point in Portage county.

An act in relation to state roads.

An act to amend an act entitled "an act authorizing Hugh McFarlane and Robert V. Allen to construct a bridge across the Wisconsin river.

An act to appropriate to Fratney & Herzberg fifty dollars.

An act to appropriate to Albert G. Lull a certain sum of money.

An act to provide for the location and erection of a state prison.

An act to alter the boundaries of the town of Calumet, Fond du Lac county.

An act to lay out and establish a state road therein named.

Memorial to Congress in relation to a mail route.

J. B. JOHNSON.

The consideration of the senate messages was resumed:

The amendments of the senate to the following bills, to wit;

No. 114, *a.*, a bill to appropriate James Campbell the sum therein named.

No. 160, *a.*, a bill to protect prairie chickens and quails.

No. 168, *a.*, a bill in relation to the improvement of the capitol.

And

No. 238, *a.*, a bill to authorize the construction of a dam across the Baraboo river.

Were severally concurred in.

The following bill reported by a committee of the whole, to wit:

No. 65, S., a bill to repeal a part of an act to incorporate the Wisconsin bridge company

Was ordered to a third reading.

The rules having been suspended, said bill

Was read a third time, passed

And the title agreed to.

Mr. Wilson submitted the following

REPORT:

The committee of conference to whom was referred bill no. 372, assembly file, having had the same under consideration, beg leave to report the same through their chairman, back to to the house, and recommend concurrence in the amendment adopted by the senate.

W. K. WILSON,
G. H. WALKER,
C. E. JENKINS,
Com. of Con.

The report of the committee was adopted.

Mr. Stock, from the committee on engrossments, reported as correctly engrossed, bills

No. 79, *a.*, a bill relative to the release of one or more joint debtors.

No. 316, *a.*, a bill to provide for the payment of indebtedness to the capital of the school fund,

And

No. 361, *a.*, a bill to pay Moritz Shoeffler the sum therein named.

Said bills no. 79, and 316, *a.*, were severally read a third time, passed,

And the titles agreed to.

Said bill no. 361, *a.*, was read a third time.

And referred to the committee on legislative expenditures.

Mr. Henning, from the committee on engrossments, reported as correctly engrossed said bill no. 107, *a.*,

And it was read a third time.

And the question on its passage,

Was decided in the affirmative,

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Easton, Everly, French, Fuller. Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Muzzy, Olmstead, Osborne, Perkins, Rogan, Smith, Tompkins, Tregaskis, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—48.

Mr. Murphy voted in the negative—1.

The title was amended so as to read "a bill appropriating money to certain persons therein named."

Mr. Wing moved that bill

No. 32, S., a bill to amend an act entitled "an act to authorize Clauden Stoughton and Luke Stoughton to build and maintain a dam across Rock river, and also to authorize Anson W. Pope and Virgil Pope to build and maintain a dam across said stream," approved April 7, 1843.

Be taken from the table for further consideration.

Which was agreed to.

And the question being on ordering said bill to be read a third time,

Mr. Wing moved to amend as follows:

Amend Sec. 2, by changing the word eight in second line, to six, and insert the words "suitable and" between the words "a and convenient" in fourth line, also insert in fifth line between the words 'hundred' and 'feet' the words 'and twenty.'

Strike out sec. 3, and substitute as follows:

This act shall not be construed to authorize the said owners or any other person, who may erect or maintain the said dam, to flow lands not owned by the proprietor or proprietors of said dam, without the consent of the owner or owners thereof, or to raise the water of said river, to the injury of mills now erected above the said dam, or in any wise to affect the rights of any individual who may have commenced the improvement of any water power.

Add a new section:

This act shall not be construed to authorize the said proprietors, or any other person who may erect or maintain the said dam, to raise the water of lake Koshkonong to the injury of mills now erected above said lake, or in any wise to affect the rights of any person claiming an interest in any water power, on Rock river, or to flow any lands adjoining said lake.

Said amendments were adopted, and said bill was ordered to be read a third time.

The rules were suspended, and it was read a third time, passed,

And the title agreed to.

Mr. Doran moved that bill

No. 229, *a.*, a bill to amend sec. 26, of chap. 131, of the revised statutes,

Be taken from the table for further consideration.

Which was agreed to.

And the question being on ordering the engrossment and third reading of said bill,

Mr. Doran moved to add after the enacting clause, the following sections:

Sec. 1. Registers of Deeds in the several counties of this state shall be entitled to demand and receive the sum of twen-

ty-five cents for each official certificate they may by law be bound to give: provided that it shall not extend to the certificates endorsed on deeds when received for recording.

Sec. 2. The secretary of state shall cause this act to be published three times in a newspaper printed at Madison, after which it shall take effect and be in force.

Which was agreed to.

And said bill was ordered to be engrossed and read a third time.

The rules were suspended, and it was read a third time and passed.

The title was agreed to.

Mr. Tompkins moved that bill

No. 282, *a.*, a bill to promote agriculture, horticulture and the mechanic and household arts

Be taken from the table for further consideration.

Which was agreed to.

And the question being on ordering its engrossment and third reading,

Mr. Tompkins moved to amend the bill by adding to the second section the following proviso.

Provided, That such of the counties as may fail or neglect to organize under the provisions of this act, shall, until an organization be effected, be entitled to receive the amount herein before apportioned to them respectively, in part payment of their state tax; and the treasurer is hereby directed to credit the same to such counties, on settlement with the treasurers of said counties.

Which was agreed to.

Mr. Clothier moved that the further consideration of said bill,

Be indefinitely postponed.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Bannister, Briggs, Clothier, Cole Dick, French,

Groot, Hulburt, Jenkins, J. B. Johnson, Lessey, Lowth, Murphy, Muzzy, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tregaskis, Waldo and Wing—23.

Those who voted in the negative, were

Messrs. Barnett, Bird, Bjornsen, Bradley, Cavney, Chase, Doran, Easton, Estabrook, Everly, Fuller, Hale, Hemenway, H. Johnson, Julius, Kinney, Ladue, Malmros, Moorman, Olmstead, Osborne, Perkins, Tompkins, Walker, Whitton, Wilson and Horn (speaker)—27.

Mr. Van Vliet moved that said bill be laid on the table.

Which was disagreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Cole, Dick, Doran, Eastman, French, Groot, Hulburt, J. B. Johnson, Ladue, Lessey, Lowth, Murphy, Muzzy, Rodolf, Rogan, Smith, Stock, Tregaskis, Van Vliet, Whitton, Wilson and Horn (speaker)—22.

Those who voted in the negative, were

Messrs. Barnett, Bird, Bjornsen, Briggs, Cavney, Chase, Clothier, Easton, Estabrook, Everly, Fuller, Hale, Hemenway, H. Johnson, Julius, Kinney, Malmros, Moorman, Olmstead, Osborne, Perkins, Spooner, Tompkins, Utley, Waldo, Walker and Wing—27.

The question recurring on ordering said bill to be engrossed for a third reading,

Mr. Clothier moved to amend by striking from the first section the word "three," before the word "thousand," and inserting in lieu thereof the word "ten."

Which was agreed to.

Mr. Fuller moved that the further consideration of said bill be indefinitely postponed.

Which was agreed to,

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative, were

Messrs. Dick, Eastman, French, Fuller, Groot, Hemenway, Hulburt, J. B. Johnson, Julius, Ladue, Lessey, Lowth,

Malmros, Murphy, Muzzy, Rodolf, Rogan, Smith, Snover, Stock, Tregaskis, Van Vliet, Whitton, Wing and Horn (speaker)—25

Those who voted in the negative were,

Messrs. Barnett, Bird, Bjornsen, Briggs, Cavney, Clothier, Cole, Doran, Easton, Estabrook, Everly, H. Johnson, Kinney, Moorman, Olmstead, Osborne, Perkins, Spooner, Tompkins, Utley, Waldo, Walker, and Wilson—23.

The assembly adjourned.

SATURDAY, March 15, 9½ A. M.

Prayer by the Rev. Mr. Lord.

The reading of the journal of yesterday was dispensed with.

Mr. Cole, from the select committee to whom the same was referred, reported back bill

No. 290, *a.*, a bill to authorize the electors of the county of La Fayette, to vote on the removal of the county seat of said county.

With amendment.

The report of the committee was adopted.

And said bill was passed, and its title agreed to.

No. 237, *a.*, a bill to establish a contingent fund for the office of Secretary of State, State Treasurer and Superintendent of Public Instruction,

Was read a third time,

And the question being on its passage,

Mr. H. Johnson moved that the said bill be referred to the Judiciary Committee.

Which was not agreed to.

The question on the passage of said bill,

Was decided in the negative.

Those who voted in the affirmative were,

Messrs. Bird, Bjornsen, Boyce, Bradley, Doran, Eastman, French, Henning, Ladue, Lowth, Malmros, Moorman, Osborne, Price, Smith, Snover, Tompkins, Utley, Waldo, Walker, Whitton, Wilson and Horn (speaker)—23.

Those who voted in the negative were,

Messrs. Barnett, Briggs, Cavney, Clothier, Cole, Dick, Easton, Estabrook, Everly, Fuller, Groot, Hale, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Moore. Murphy, Muzzy, Olmstead, Perkins, Rodolf, Rogan, Spooner, Stock Tregaskis, Van Vliet and Wing—31.

A message from the senate, by Wm. Hull, Esq., their chief clerk :

Mr. Speaker—

I am directed to inform you that senate has passed,

No. 359, *a.*, no. 360, *a.*, no. 364, *a.*, no. 345, *a.*, no. 373, *a.*, no. 336, *a.*, no. 358, *a.*, no. 347, *a.*, no. 375, *a.*, no 346, *a.*, no. 137, *a.*, and no. 325, *a.*,

Without amendments.

And no. 110, *a.*, 351, *a.*, and 374, *a.*,

With amendments.

In which the concurrence of the assembly is requested.

And that senate has also passed

No. 261, S., a bill to appropriate to C. L. Sholes the sum therein named,

In which the concurrence of the assembly is also requested.

I am further directed to inform you that senate have receded from their amendments to bill no. 300, *a.*

Mr. Briggs moved that the vote by which the assembly passed bill

No. 237, S., a bill to incorporate the Madison and Prairie du Chien rail road company,

Be reconsidered,

Which was agreed to.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Bird, Bjornsen, Boyce, Briggs, Cavney, Doran, Eastman, Estabrook, Hale, Hemenway, Hulburt, H. Johnson, Kinney, Lessey, Moore, Murphy, Olmstead, Perkins, Rodolf, Smith, Spooner, Tompkins, Tregaskis, Walker, Wilson and Horn (speaker)—27.

Those who voted in the negative were,

Messrs. Barnett, Clothier, Dick, Everly, French, Fuller, Groot, Henning, J. B. Johnson, Julius, Ladue, Lowth, Malmros, Moorman, Muzzy, Price, Rogan, Snover, Stock, Utley, Van Vliet, Waldo, Whitton and Wing—24.

Mr. Walker moved that the chief clerk be instructed to request the senate to return said bill to the asesmbly, for further consideration.

Which was disagreed to.

The message from the senate was taken up and considered.

The amendments of the senate to said bill no. 110, *a.*,

Were severally concurred in.

The question being on concurring in the amendments of the senate to bill no. 351, *a.*,

On motion of Mr. Bradley,

Said bill was laid on the table.

No. 378, *a.*, a bill to appropriate to certain persons the sum therein named,

Was read a third time.

And the question being on its passage,

Mr. Bjornsen had unanimous leave to amend the bill, by the addition of the following section:

Sec. 8. To E. Edwards the sum of twenty dollars pay in full for 400 copies of the "Winnebago Telegraph," furnished as aforesaid.

The question on the passage of said bill

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Olmstead, Perkins, Price, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Van Vliet, Waldo, Walker, Wilson, Wing and Horn (speaker)—51.

Mr. Barnett voted in the negative—1.

The title was agreed to.

Mr. Bjornsen, from the committee on legislative expenditures, to whom the same was referred, reported back bill

No. 361, *a.*, a bill to pay Moritz Shoeffler the sum therein named,

Without amendment.

Recommending that it pass.

Said bill was read a third time.

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, J. B. Johnson, Julius, Kinney, Lessey, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead, Perkink, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Van Vliet, Waldo, Walker, Wilson, Wing and Horn (speaker)—47.

Mr. H. Johnson voted in the negative—1.

The title was agreed to.

No. 261, S,, a bill to appropriate C. Latham Sholes the sum therein named,

Was read the first and second time.

The rules were suspended and said bill was read a third time;

And the question being on its passage,

Mr. Hale had unanimous leave to amend by striking from the bill the word, "two" wherever it occured, before the word "thousand," and inserting in lieu thereof the word "three."

The question on the passage of said bill

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Cole, Doran, Easton, Estabrook, Everly, French, Groot, Hale, Hemenway, Henning, H. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Murphy, Muzzy, Osborne, Price Rodolf, Smith, Snover, Spooner, Stock, Tompkins, Utley, VanVliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—46.

Those who voted in the negative, were

Messrs Clothier, Dick, Fuller, Hulburt, J. B. Johnson, Olmstead, Perkins and Rogan—8.

Mr. Lowth, on leave granted, introduced bill

No. 379, *a.*, a bill to authorize the Governor and Secretary of state to audit the accounts of Beriah Brown

Which was read the 1st and 2d time,

The rules were suspended, and the said bill was read a third time,

And the question on its passage

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornson, Boyce, Bradley, Briggs, Cavney, Cole, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, H. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Moorman, Olmstead, Osborne, Perkins, Price, Rodolf, Smith, Snover, Stock, Tompkins, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn, (speaker) —46,

Those who voted in the negative, were

Messrs Dick, Hulburt, J. B. Johnson, Muzzy and Rogan, —5.

The title was agreed to.

Mr. Ladue, on leave granted, introduced bill

No. 380, *a.*, a bill to vacate a certain street in the village of Greenbush in Sheboygan county;

Which was read the 1st and 2d time.

The rules were suspended, and said bill was read a third time, passed

And the title agreed to.

Mr. Bjornson, from the committee on legislative expenditures, to whom the same was referred, reported back bill

No. 253, S., a bill to appropriate to the several persons the several sums therein named,

With amendments;

And recommended its passage.

The amendments of said committee,

Were concurred in,

And said bill was read a third time.

The question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs Bannister, Barnett, Bird, Bjornsen, Boyce, Bradley, Briggs, Cavney, Chase, Clothier, Cole, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf, Rogan, Smith, Snover, Spooner, Stock, Tompkins, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—52.

Messrs Dick, J. B. Johnson and Moore, voted in the negative—3.

The title was agreed to.

Mr. Bannister moved that bill

No. 16, *a.*, a bill to repeal section 3, chapter 88, title 22,

part 3, of the revised statutes, and to amend section 9, of the same chapter,

Be taken from the table for further consideration;

Which was agreed to.

And the question being on ordering the engrossment and 3d reading of said bill,

Mr. Doran moved to amend by substituting for the sections which had been stricken out, the following:

Sec. 1. Section five of chapter 88, part 3, title 22, of the revised statutes, is hereby amended so as to increase the jurisdiction of justices of the peace, in the actions and proceedings therein named, to two hundred dollars.

Sec. 2. The Secretary of State shall cause this act to be published three times in a newspaper printed at Madison, after which it shall take effect and be in force.

The said amendment was adopted.

The rules were suspended, and said bill was read a third time.

The question on its passage,

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were.

Messrs. Bannister, Bird, Bjornsen, Bradley, Briggs, Cavney, Cole, Dick, Doran, Eastman, Everly, French, Groot, Hale, Henning, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Price, Rodolf, Rogan, Stock, Tompkins, Utley, Walker, Wilson, Wing and Horn (speaker)—31.

Those who voted in the negative, were

Messrs Barnett, Boyce, Chase, Clothier, Easton, Estabrook, Fuller, Hulburt, H. Johnson, J. B. Johnson, Moore, Muzzy, Olmstead, Osborne, Perkins, Snover, Spooner, Van Vliet, Waldo, Whitton and Wing—23.

On motion of Mr. Doran,

The title of said bill was so amended as to read as follows:

A bill to amend section 5, of chapter 88, of the Revised

Statutes, and increase the jurisdiction of justices of the peace in certain cases.

No. 260, S., a bill to appropriate D. C. Reed the sum therein named

Was read a third time.

And the question on its passage,

Was decided in the ne ative.

Those who voted in the affirmative, were

Messrs. Bird, Cavney, Chase, Doran. Estabro ok, Julius Lessey, Malmros, Moorman, Osborne, Stock, Utley, Walker, and Wilson—14.

Those who voted in the negative were,

Messrs. Barnett, Bjornsen, Briggs, Clothier, Cole, Dick, Eastman, Easton, Everly, French, Fuller, Groot, Hale, Henning, Hulburt, H. Johnson, J. B. Johnson, Kinney, Lowth, Moore, Muzzy, Olmstead, Perkins, Price, Rodolf, Rogan, Smith, Snover, Spooner, Tompkins, Van Vliet, Waldo, Whitton, Wing and Horn (speaker)—35.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled,

No. 1. *a.*; a bill to incorporate the city of Milwaukee,

Said enrolled bill was signed by the speaker.

And was thereupon transmitted to the senate.

A message from the senate, by Wm. Hull, Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that senate has concurred in the passage of

No. 318, *a.*, no. 281, 347, *a.*, and no. 355, *a.*,

With amendments to each,

In which the concurrence of the assembly is requested.

And has passed

No. 332, *a.*, no., 350, *a.*, no. 371, *a.*, no. 307, *a.*, and no. 319, *a.*,

Without amendments.

And has passed

No. 262, S., a bill to appropriate to Robert B. Wentworth the sum therein named.

In which the concurrence of the assembly is requested.

The message from the senate was taken up.

The amendments of the senate to bills

No. 281. *a.*, a bill to appropriate to Thos. Reynolds the sum therein named.

No. 318, *a.*, a bill to appropriate King & Fuller a certain sum of money therein named.

No. 347, *a.*, a bill to appropriate William Gansman the sum therein named.

And

No. 355, *a.*, a bill to legalize school district no. 4, in the town of Ottawa.

Were severally concurred in.

Said bill no. 262, S., was read the first and second time.

The rules were suspended, and said bill was read a third time.

And the question on its passage,

Was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Bird, Bjornsen, Bradley, Briggs, Cavney, Clothier, Cole, Dick, Doran, Eastman, Easton, Estabrook, Everly, French, Fuller, Groot, Hale, Hemenway, Henning, Hulburt, H. Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moore, Murphy, Muzzy, Olmstead, Osborne, Perkins, Price, Rodolf. Rogan, Smith Snover, Spooner, Stock, Tompkins, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—50.

None voted in the negative.

The title was agreed to.

Mr. Murphy moved that the vote by which the assembly refused to pass said bill no. 237, *a.*,

Be reconsidered.

Which was agreed to.

And the question being on the passage of said bill,

It was decided in the negative.

Those who voted in the affirmative, were

Messrs. Bannister, Bird, Bjornsen, Bradley, Chase, Doran, Eastman, Everly, Henning, Kinney, Ladue, Lowth, Malmros, Murphy, Osborne, Price, Smith, Snover, Tompkins, Waldo, Walker, Whitton, Wilson and Horn (speaker)—24.

Those who voted in the negative were,

Messrs. Barnett, Briggs, Cavney, Clothier, Cole, Dick, Easton, Estabrook, French, Fuller, Groot, Hale, Hemenway Hulburt, H. Johnson, J. B. Johnson, Julius, Lessey, Moore, Muzzy, Olmstead, Perkins, Rodolf, Rogan, Spooner, Stock, Van Vliet and Wing—28.

On motion of Mr. Ladue,

The assembly adjourned until ½ past 2 o'clock P. M.

2½ O'Clock, P. M.

A message from the senate by Wm. Hull Esq., their chief clerk :

Mr. Speaker—

I am directed to inform you that senate has concurred in the amendments of assembly to

No. 65, S., no. 261, S., and no. 253, S.

And has passed

No. 79, *a.*, a bill in relation to the release of one or more joint debtors,

Without amendment.

And that senate has nonconcurred in the amendments of assembly to

No. 249, S., a bill to provide for the apportionment of the state into senate and assembly districts.

No. 374, *a.*, was ta ken up.

And the amendment of the senate to said bill

Was concurred in.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Barnett, Bird, Bjornsen, Briggs, Chase, Clothier, Eastman, Estabrook, Everly, Fuller, Hale, Hemenway, H, Johnson, J. B. Johnson, Julius, Kinney, Ladue, Lessey, Malmros, Murphy, Osborne, Rodolf, Rogan, Stock, Tompkins, and Horn (speaker)—27.

Those who voted in the negative were,

Messrs. Bradley, Cavney, Cole, Dick, Doran, French, Groot, Henning, Hulburt, Lowth, Muzzy, Olmstead, Perkins, Price, Smith, Snover, Van Vliet, Waldo, Walker, Whitton and Wilson—21,

Mr, Doran introduced a joint resolution directing the committee on enrollments to superintend the alteration of the description of a certain boundary in the act to incorporate the city of Milwaukee and to procure such alteration to be made according to a direction given in said resolution.

Which was adopted,

Mr. Tompkins, on leave granted, introduced bill

No. 381, *a.*, a bill to apportion and district anew the members of the senate and assembly of the State of Wisconsin.

Which was read the first and second time,

The assembly resolved itself into committee of the whole,

Mr. Lowth in the chair.

And after some time spent therein,

The committee rose, and by their chairman reported said bill

With amendments.

The amendments of the committee to said bill

Were concurred in.

And the question being on ordering its engrossment and third reading,

Mr. Hale moved that said bill be laid on the table.

Which was agreed to.

A message from the senate by William Hull, Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate has adopted the report of the committee of conference on

No. 234, *a.*, a bill to pay to Peter W. Matts the sum therein named.

And has concurred in the adoption of the resolution of the assembly relative to the more accurate definition of a boundary described in the act to incorporate the city of Milwaukee.

And has passed the following resolution:

Resolved by the senate, (the assembly concurring,) That the Governor be, and he hereby is authorized and directed to sell and dispose of the mortgages, or any one or more of them, due on canal lands, to any person who will pay the amount due thereon; and in case any of said mortgages remain unsold on the first day of October next, then the Governor shall cause the same to be advertised and sold at public vendue to the highest bidder on the first Monday of December next; the notice of said sale shall be published for three successive weeks prior thereto in one or more newspapers printed at Madison, and in one at Milwaukee. The time and place of such sale, together with the name of the mortgagee for, and the amount due on such mortgage shall be specified in such notice.

In which the concurrence of assembly is requested.

The message from the senate was taken up.

On motion of Mr. Chase,

The said resolution relative to the sale of mortgages on canal lands;

Was laid on the table.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled:

No. 32, S., a bill to amend act entitled "an act to authorize Clauden Stoughton and Luke Stoughton to build and

maintain a dam across Rock river, and also to authorize Anson W. Pope and Virgil Pope to build and maintain a dam across said stream;" approved April 7, 1843.

No. 65, S., a bill to repeal a part of an act entitled "an act to incorporate the Wisconsin Bridge Company.

No. 244, S., a bill to authorize a ferry across the Wisconsin river.

No. 261, S., a bill to appropriate to C. Latham Sholes the sum therein named.

No. 262, S., a bill to appropriate to Robert B. Wentworth the sum therein named.

And

No. 319, *a.*, a bill to appropriate to Jerome R. Brigham a sum of money therein named.

Said enrolled bills were severally signed by the speaker,

And were thereupon transmitted to the senate.

Mr. Walker moved that bill

No. 54, *a.*, a bill to remit the interest on canal bonds and mortgages therein mentioned;

Be taken from the table for further consideration,

Which was agreed to.

And the question being on the passage of said bill,

It was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bannister, Barnett, Bjornsen, Bradley, Briggs, Cavney, Chase, Clothier, Doran, Fuller, Groot, Hale, Hemenway, Julius, Ladue, Malmros, Moorman, Muzzy, Osborne, Perkins, Price, Rogan, Waldo, Walker, Whitton, Wilson and Wing—29.

Those who voted in the negative, were

Messrs. Bird, Cole, Eastman, Easton, Estabrook, Everly, Henning, Hulburt, H. Johnson, J. B. Johnson, Kinney, Lessey, Moore, Olmstead, Smith, Snover, Stock, Tompkins, Utley, Van Vliet and Horn (speaker)—21.

The title was agreed to.

Mr. Price asked leave to introduce a bill of the following title:

"A bill to provide for clerks in the offices of Secretary of State, Superintendent of Instruction and State Treasurer."

And the question being on granting such leave,

It was decided in the negative.

Those who voted in the affirmative, were

Messrs. Barnett, Bird, Bjornsen, Bradley, Doran, Estabrook, Hale, Henning, Ladue, Lowth, Malmros, Moorman, Osborne, Price, Smith, Snover, Tompkins, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker) —25.

Those who voted in the negative, were

Messrs. Bannister, Briggs, Cavney, Clothier, Cole, Eastman, Easton, Everly, Fuller, Groot, Hemenway, Hulburt, H. Johnson, J. B. Johnson, Julius, Moore, Muzzy, Olmstead, Perkins, Rodolf, Rogan and Stock—22.

Mr. J. B. Johnson from the committee on enrollments, submitted the following

REPORT:

The committee on enrolled bills report as correctly enrolled

No. 142, *a.*, a bill to incorporate the Manitowoc and Mississippi rail road company.

No. 174, *a.*, a bill to levy a tax on dogs.

No. 291, *a.*, a bill to extend the time for the collection and return of taxes in the town of Willow Springs in the county of Lafayette.

No. 213, S., a bill to amend an act entitled "an act to incorporate the Southport and Beloit road company;" approved March 6th, 1848.

No. 248, S., a bill to provide for levying a state tax.

No. 207, S., a bill extending the time of payment of the interest on mortgages for the loan of school money.

No. 197, S., a bill to provide for laying out a state road

from Franklin in the county of Iowa to intersect the State road at or near Round Prairie in the county of Bad Axe.

No. 203, S., a bill to appropriate to F. F. Davis, sheriff of Fond du Lac county the sum of money therein named.

No. 233, S., a bill to appropriate money for the purposes therein named.

No. 251, S., a bill to appropriate a certain sum of money.

No. 205, S., a bill to appropriate to Rood & Whittemore the sum therein named.

No. 246, S., a bill to appropriate to J. C. Fairchild the sum therein named.

No. 140, S., a bill further to appropriate money to pay the contingent expenses of the State Superintendent of Public Instruction for the year 1850.

No. 239, S., a bill to appropriate to E. D. Masters the sum of money therein named.

No. 204, S., a bill to appropriate to Jackson Richardson or his legal representatives the sum therein named.

No, 101, S., a bill to legalize the acts of the officers of school district no. 1, in the town of Springfield, Dane county.

No. 202, S., a bill appropriating to Moritz Schoefler the sum therein named.

No. 258. S., a bill to pay the chaplains employed during the present session of the Legislature.

No. 200, S., a bill to appropriate to J. C. Fairchild the sum therein named.

No. 259, S., a bill to appropriate to Beriah Brown the sum therein named,

No. 245, S., a bill authorizing the laying out of a state road therein named.

No. 256, S., a bill to appropriate to Matthew Woods the sum therein named.

No. 212, S., a bill to prohibit the appointment of county agents and for other purposes,

No. 219, S., a bill to declare a certain street a public highway.

No. 210, S., a bill to provide for the laying out of a state road from Prairie du Sac in Sauk county, to Prairie du Chien in Crawford county.

No. 221, S., a bill to incorporate the Wilmot Academy.

No. 377, *a.*, a bill to provide for the payment of the contingent expenses of the state of Wisconsin for the years 1850 and 1851.

No. 325, *a.*, a bill to legalize certain roads therein named.

No. 241, *a.*, a bill to provide for the superintendence of the state library for the purchase of books for the same and for other purposes.

No. 214, S., a bill to change the name of the village of Norris in the county of Sauk.

No. 179, *a.*, a bill to appropriate to John C. Lewis, treasurer of Dodge county the sum therein named,

No. 257, S., a bill to appropriate to James Halpin the sum therein named. J. R. JOHNSON.

Said enrolled bills bills were severally signed by the speaker, and were thereupon transmitted to the senate.

A message from the senate by Wm. Hull Esq., their chief clerk;

Mr. Speaker:

I am directed to inform you that senate has passed;

No. 209, *a.*, and 378, *a.*,

With amendments;

In which the concurrence of the assembly is requested.

And has passed

No. 197, *a.*, and no. 361, *a.*,

Without amendments.

I am further directed to inform you that senate has passed

No. 192, S., a bill to incorporate the Madison Mutual Insurance company,

In which the concurrence of assembly is requested.

The message from the senate was taken up.

The amendments of the senate to bills no. 209 and 378, *a.*,

Were severally concurred in.

No. 192, S., a bill to incorporate the Madison Mutual Insurance company,

Was read the 1st and 2d time.

The rules were suspended and said bill was read a 3d time, passed,

And the title agreed to.

Mr. Wilson, from the select committee to whom the same was referred, reported back bill

No. 224, S., a bill in relation to streets, alleys and sewers in the city of Milwaukee,

Without amendment,

Recommending its passage.

Said bill was read a 3d time, passed

And the title agreed to.

Mr. Tompkins moved that said bill no. 381, *a.*, be taken from the table for further consideration;

Which was agreed to.

The rules were suspended, and said bill was read a 3d time.

The question on its passage

Was decided in the affirmative.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs Barnett, Bird, Bjornsen, Bradley, Briggs, Cavney, Chase, Clothier, Dick, Doran, Eastman, Easton, Everly, French, Fuller, Groot, Hemenway, Henning, Hulburt, H. Johnson, Julius, Kinney, Ladue, Lowth, Moore, Muzzy, Perkins, Price, Rodolf, Smith, Stock, Tompkins, Walker, Whitton and Horn (Speaker)—35.

Those who voted in the negative, were

Messrs Hale, Moorman, Olmstead, Utley, Van Vliet, Waldo and Wilson—7.

The title was agreed to.

A message in writing from the Governor, by George P. Delaplaine, Esq., private secretary :

EXECUTIVE DEPARTMENT,
Madison, March 14, 1851.

To the Assembly—

Acts cntititled as follows :

An act to provide for the election of county Treasurer and clerks of the board of supervisors.

An act to authorize the citizens of Waucoma, to build a meeting house on the public square of said village.

An act to authorize the construction of a dam across the Pickatonica river.

An act to amend section twenty eight of chapter one hundred and twenty nine of the revised statutes.

Memorial to congress in relation to a mail route.

Memorial to congress asking for a mail route from the village of West Bend to the town of Wayne in Washington county.

An act in relation to state roads.

An act to alter the boundaries of the town of Calumet, Fond du Lac county.

An act to appropriate to Albert G. Lull a certain sum of money.

An act to appropriate to Fratney and Hertzberg fifty dollars.

An act to lay out and establish a state road therein named.

Memorial to congress in relation to a mail route,

Were on the 13th inst., approved and signed by me, and deposited in the office of the Secretary of State.

An act entitled "an act providing for the location and erection of a state prison.

Has this day been approved and signed by me and deposited as aforesaid.

(Signed) NELSON DEWEY.

The Assembly adjourned until half past seven o'clock, P. M.

HALF PAST SEVEN O'CLOCK, P. M.

Mr. Briggs moved that bill

No. 17, *a.*, a bill to amend chapter 12 of title 4, of the revised statutes, relative to towns and town officers,

Be taken from the table for further consideration.

And the question being on ordering its engrossment and 3d reading,

Mr. Briggs introduced as a substitute for said bill

No. 382, *a.*, a bill to provide for clerks in the offices of Secretary of State, State Superintendent of Public Instruction, and State Treasurer.

Said substitute was adopted,

And the rules having been suspended, it was read a third time,

The question on its passage, was decided in the affirmative.

Those who voted in the affirmative, were

Messrs. Bird, Bjornsen, Briggs, Chase, Doran, Eastman, Henning, H. Johnson, Julius, Kinney, Ladue, Lessey, Lowth, Malmros, Moorman, Murphy, Price, Smith, Snover, Stock, Tompkins, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—29.

Those who voted in the negative, were

Messrs. Cavney, Clothier, Groot, Hale, Hemenway, Hulburt, J. B. Johnson, Moore, Olmstead, Perkins & Rodolf—11.

The title was agreed to.

Mr. J. B. Johnson, from the committee on enrollments, submitted the following

REPORT:

The committee on enrolled bills report as correctly enrolled

No. 237, S., a bill to incorporate the Madison and Prairie du Chien rail road company.

No. 269, *a.*, a bill to appoint certain commissioners therein named.

No. 318, *a.*, a bill to appropriate to King & Fuller a certain sum of money.

No. 345, *a.*, a bill to authorize the construction of a bridge across Wolf river at Mukwa in the county of Waupacca.

No. 373, *a.*, a bill to incorporate the Delavan rail road company.

No. 346, *a.*, a bill to appropriate to Moritz Schoeffler the sum therein named.

No. 355, *a.*, a bill to legalize school district no. 4 in the town of Ottowa.

No. 160, *a.*, a bill to prevent the killing of game therein named in certain seasons of the year.

No. 300, *a.*, a bill granting to Henry W. Kingsbury the right to keep and maintain a ferry across the Wisconsin river.

No. 79, *a.*, a bill relative to the release of one or more joint debtors.

No. 203, *a.*, a bill appropriating to Darwin Clark the sum therein named.

No. 238, *a.*, a bill to authorize the construction of a dam across the Baraboo river.

No. 67, *a.*, a bill to appropriate to Ira Gates a sum therein named.

No. 222, S., a bill in relation to streets, alleys and sewers in the city of Milwaukee. J. B. JOHNSON.

Said enrolled bills were severally signed by the speaker,

And were thereupon transmitted to the senate.

Mr. Doran moved that the vote by which the assembly laid on the table

No. 170, S., a bill to amend an act entitled "an act to incorporate the Milwaukee Mutual Fire Insurance company;

Be reconsidered,

Which was agreed to,

And the question being on ordering said bill to be read a third time,

The rules were suspended, and it was read a third time, passed,

And the title agreed to.

A message from the senate by William Hull, Esq., their chief clerk.

Mr. Speaker:

I am directed to inform you that senate has passed bill,

No. 381, *a.*, a bill to apportion and district anew the members of the senate and assembly of the State of Wisconsin,

With amendments.

In which the concurrence of the assembly is requested.

Said bill was taken up.

And the amendments of the senate, except the 5th and 6th,

Were severally concurred in.

The 5th of said amendments constituted Crawford county an assembly district instead of La Crosse and Chippewa.

The 6th of said amendments constituted Bad Axe, La Crosse, and Chippewa counties, an assembly district, instead of Bad Axe and Crawford.

Said 5th and 6th amendments were nonconcurred in.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bannister, Bird, Cavney, Chase, Clothier, Eastman, Everly, Fuller, Groot, Hulburt, Kinney, Moore, Perkins, Rodolf, Stock, and Tompkins—16.

Those who voted in the negative were,

Messrs. Barnett, Bradley, Briggs, Cole, Doran, Easton, Estabrook, French, Hale, Hemenway, Henning, Jenkins, H. Johnson, J. B. Johnson, Julius, Ladue, Lowth, Malmros, Moorman, Murphy, Muzzy, Olmstead, Osborne, Price, Smith, Snover, Utley, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing and Horn (speaker)—35.

A message from the senate by Wm. Hull Esq., their chief clerk;

Mr. Speaker—

I am directed to inform you that senate refuse to recede from its 5th and 6th amendments to bill no. 381, *a.*,

And have appointed Messrs. Dean, Hyer, and Wright, a committee of conference on the disagreeing vote of the two houses on said bill.

The said message was taken up and considered.

Messrs. Price, Rodolf, and Briggs were appointed a committee of conference on the part of the assembly in relation to the disagreeing vote of the two houses on said bill.

Mr. J. B. Johnson, from the committee on enrollments, submitted the following

REPORT:

The committee on enrollments report as correctly enrolled

No. 301, *a.*, a bill authorizing George Stevens and others to improve the Little Bull Falls on the Wisconsin river, and repeal an act approved February 9th, 1850.

No. 245, *a.*, a bill for the relief of school district no. 2, in the town of Richland, in the county of Richland.

No. 369, *a.*, a bill to incorporate the Portage bridge company.

No. 205, *a.*, a bill to extend the limits of the town of Rushford in the county of Winnebago.

No. 234, *a.*, a bill to appropriate to Peter W. Matts the sum therein named.

No. 202, *a.*, a bill to incorporate the St. Croix Boom company.

No. 110, *a.*, a bill to appropriate funds for the benefit of the institution for the blind.

No. 176, *a.*, a bill to authorize the construction of a bridge at Winneconna.

No. 168, *a.*, a bill in relation to the improvement of the capitol.

No. 307, *a.*, a bill to appropriate to H. Sadd the sum therein named.

No. 99, *a.*, a bill for the relief of those persons commonly called Seventh Day Baptists, and others who keep the seventh day of the week as a day of rest.

No. 372, *a.*, a bill supplementary to an act entitled "an act to authorize the assessment and collection of taxes in the city of Milwaukee "approved January 24th, 1851."

No. 281, *a.* a bill to provide for a settlement with Thomas Reynolds, a contractor for works on the Portage Canal, for damages.

No. 117, *a.*, a bill to authorize Henry J. Elliot and his associates to build and maintain a bridge acrosr Fox river, at Delhi, in the county of Winnebago.

No. 187, *a.*, a bill to incorporate the North Western Art Union,

No, 220, S., a bill to incorporate the Sheboygan and Calumet plank road company. J. B. JOHNSON.

Said enrolled bills were severally signed by the speaker.

And were threupon transmitted to the senate.

Mr. Price reported the recommendation of the committee of conference in relation to the disagreeing vote of the two houses on said bill no. 381, *a.*, to wit:

That the assembly recede from their non-concurrence in the 5th and 6th amendments to said bill.

Which report was adopted.

Mr. Bannister, from the committee on enrollments, reported as correctly enrolled

No. 157, *a.*, a bill to amend an act concerning the fees of certain officers and other persons.

No. 197, *a.*, a bill to appropriate to the different persons therein named, the sum of money set down to each person separately,

No. 213. *a.*, a bill to provide for the fees of sheriffs.

No. 289, *a.*, a bill to authorize contiguous school districts to associate together to establish and maintain academical schools.

And

No, 378, *a.*, a bill to appropriate to certain persons the sums therein named.

Said enrolled bills were severally signed by the speaker.

And were thereupon transmitted to to the senate.

A message from the senate, by Wm. Hull, Esq., their chief clerk:

Mr. Speaker—

I am directed to inform you that senate has unanimou sly adopted the report of the committee of conference on the disagreeing vote of the two houses on said bill,

Which report was a recommendation that senate do not recede from its 5th and 6th amendments to said bill.

Mr. J. B. Johnson, from the committee on enrollments, submitted the following

REPORT:

The committee on enrolled bills report as correctly enrolled,

No. 137, *a.*, a bill to incorporate the Port Washington and Fond du Lac plank road company.

No. 114, *a.*, a bill to appropriate to James Campbell the sum therein named.

No. 359, *a.*, a bill authorizing the register of deeds of Manitowoc county to obtain from the office of the register of deeds of Brown county certain instruments therein named.

No. 332, *a.*, a bill to appropriate a certain sum of money therein named to Alden and Holt.

No. 358, *a.*, a bill to appropriate to J. F. Wilson the sum therein named.

No. 364, *a.*, a bill to vacate a part of the territorial road in Dodge county, surveyed by Victor M. Adams under the direction of Isaac Noyes and Benjamin Clausen, commissioners and established by an act of the territorial legislature approved February 22, 1845.

No. 350, *a.*, a bill to appropriate to Ole Torgerson the sum therein named.

No. 380, *a.*, a bill to vacate a certain alley in the town plat of Green Bush, Sheboygan county.

No. 296, *a.*, a bill to legalize the acts of town superintendents of the town of Concord.

No. 347, *a.*, a bill to appropriate to William Gansman the sum therein named.

No. 374, *a.*, a bill to establish the minimum price of the University lands, and granting pre-emption rights thereon.

No. 170, *a.*, a bill concerning sales for taxes.

No. 209, *a.*, a bill to amend an act entitled "an act to incorporate the Fort Winnebago and Duck Creek plank road company, approved Feb. 9th, 1850.

No. 361, *a.*, a bill to pay to Morritz Schoeffler the sum therein named.

No. 371, *a.*, a bill to appropriate to James Densmore the sum therein named.

No. 376, *a.*, a bill to pay J. L. Marsh the sum of money therein named.

No. 357, *a.*, a bill to appropriate to Bird and Mills the sum therein named.

No. 360, *a.*, a bill to authorize school district no. 4, in the town of Waldwic in the county of Iowa, to draw its proportion of school money for 1850.

No. 366, *a.*, a bill to appropriate to J. H. Lewis the sum therein named. J. B. JOHNSON.

The committee also report that they have presented to the Governor for his approval acts entitled as follows:

An act to appropriate to C. Latham Sholes a certain sum of money.

An act to authorize a ferry across the Wisconsin River.

An act to appropriate to Jackson Richardson or his legal representatives a certain sum of money.

An act to appropriate to E. D. Masters the sum of money therein named.

An act to appropriate money to pay the contingent expenses of the state superintendent of public instruction for the year 1850.

An act to appropriate to Rood & Whittemore the sum therein named.

An act to appropriate to Robert B. Wentworth the sum therein named;

An act to amend an act entitled an act to authorize Clauden Stoughton and Luke Stoughton to build and maintain a dam across Rock river, and also to authorize Anson W. Pope and Virgil Pope to build and maintain a dam across said stream approved April 7th, 1843.

An act to appropriate to James Halpin the sum therein named.

An act to provide for levying a state tax.

An act to provide for laying out a state road from Prairie du Sac in Sauk county, to Prairie du Chien, in Crawford county.

An act to appropriate to Mathew Woods the sum therein named.

An act to declare a certain street a public highway;

An act to prohibit the appointment of county agents and for other purposes.

An act to authorize the laying out of a state road therein named.

An act to appropriate to Beriah Brown the sum therein named.

An act to appropriate to J. C. Fairchild the sum therein named.

An act to pay the chaplains employed during the present session of the legislature.

An act appropriating to Morritz Shoeffler the sum therein named.

An act to incorporate the Wilmot Academy.

An act to appropriate money for the purposes therein mentioned.

An act to appropriate to F. F. Davis, Sheriff of Fond du Lac county, the sum of money therein named.

An act to amend an act entitled an act to incorporate the Southport and Beloit road company approved March 6th, 1848.

An act to change the name of the village of Norris, Sauk county.

An act to incorporate the Manitowoc and Mississippi rail road company.

An act to extend the time for the collection and return of taxes in the town of Willow Springs, La Fayette county.

An act to provide for the payment of the contingent expenses of the state of Wisconsin for the years 1850 and 1851.

An act to provide for the superintendence of the state library, for the purchase of books for the same, and for other purposes.

An act to appropriate to John C. Lewis treasurer of Dodge county, the sum therein named.

An act to levy a tax on dogs.

An act for the relief of the town of Green Bay.

An act to incorporate the city of Milwaukee.

An act to appropriate to the several persons the several sums therein named.

An act extending time of payment of the interest on mortgages for the loan of school money.

An act to appropriate a certain sum of money.

An act to provide for laying a state road from Franklin in the county of Iowa, to intersect the state road at or near Round Prairie in the county of Bad Ax.

An act to legalize certain roads therein named.

An act appropriating to Jerome R. Brigham a sum of money therein named.

An act to repeal part of an act entitled an act to incorporate the Wisconsin bridge company.

An act to legalize the acts of the officers of school district no. 1, in the town of Springfield, Dane county.

An act to appropriate to J. C. Fairchild the sum therein named.

An act to amend an act concerning the fees of certain officers and other persons.

An act to authorize contiguous school districts to establish and maintain academical schools.

An act appropriating money to certain persons therein named.

An act to appropriate to certain persons the sums therein named.

An act to provide for the fees of sheriffs.

An act to appropriate to King & Fuller the sum of money therein named.

An act to appoint certain commissioners therein named.

An act to authorize the construction of a bridge across Wolf river at Mukwa in the county of Waupacca.

An act to authorize the construction of a dam across the Baraboo river.

An act relative to the release of one or more joint debtors.

An act to incorporate the Delevan rail road company.

An act appropriating to Darwin Clark the sum therein named.

An act appropriating to Ira Gates the sum therein named.

An act granting to Henry W. Kingsbury the right to keep and maintain a ferry across the Wisconsin river at the Table Rock in the county of Adams.

An act to prevent the killing of game therein named in certain seasons of the year.

An act to legalize school district no. 4 in the town of Ottawa.

An act to appropriate to Moritz Shoeffler the sum therein named.

An aet to incorporate the Madison and Prairie du Chien rail road company.

An act in relation to streets, alleys, and sewers in the city of Milwaukee.

An act to appropriate to the county of Rock the sum therein named.

An act permanently to locate the county seat of Columbia county.

An act for the relief of the several counties of this state.

An act to incorporate the Richland city bridge eompany.

An act to grant to the Neenah and Manitowoc plank road company the right of way through the state lands.

Memorial to congress for a grant of land to aid in the construction of a rail road from Fort Winnebago to the north of the St. Croix river, on the Mississippi river.

An act to lay out certain roads therein named.

An act to vacate a part of the town plat of the village of Oshkosh and to legalize a subsequent survey.

An act to provide for laying out a state road therein named.

An act supplementary and amendatory to an act entitled an act to incorporate the city of Milwaukee; and acts amendatory thereto.

An act to authorize Thomas J. Townsend to keep a ferry across Fox river.

An act to authorize the inhabitants of Union School District composed of districts five, seven and eight in the towns of Porter, Union and Dunkirk in the counties of Dane and Rock to raise a tax for the building of a school house.

An act for the relief of the town of Green Bay.

An act for the relief of school districts number 4 of the town of Janesville and Harmony in the county of Rock.

An act to appropriate to Wm. H. Howard the sum therein named.

An act to legalize the acts of the district board of school district number nine of the town of Eagle, Waukesha county for the year 1850.

An act relating to Swamp lands.

An act concerning the writ of error.

An act to provide for holding the terms of the Supreme and Circuit Courts as herein mentioned.

An act providing for the appointment of commissioners to review and survey a territorial road therein named.

An act to incorporate the Milwaukee and Wauwatosa plank road company.

An act appropriating to E. B. Quiner the sum therein named.

An act to appropriate to Wm. E. Cramer the sum therein named.

An act to pay to William Doughty the principal and interest due on five bonds issued by the territory of Wisconsin.

An act to incorporate the city of Milwaukee.

An act to incorporate the Sheboygan and Calumet plank road company.

An act to appropriate to H. Sadd the sum therein named.

An act to incorporate the St. Croix Boom company.

An act to incorporate the North West Art Union.

An act to authorize George Stewart and others to improve the Little Bull Falls on the Wisconsin river and to repeal an act approved Feb. 9th, 1850.

An act to provide for a settlement with Thomas Reynolds, a contractor for work on the Portage Canal for damages.

An act to provide for the relief of school district no. two in the town of Richmond in the county of Richland.

An act to authorize the construction of a bridge across the Wolf river at Winneconne.

An act to extend the limits of the town of Rushford in the county of Winnebago.

An act to authorize Henry J. Elliott and his associates to build and maintain a bridge across Fox river at Delhi in the county of Winnebago.

An act to incorporate the Portage Bridge company.

An act in relation to the improvement of the capitol.

An act supplementary to an act entitled, an act to authorize the assessment and collection of taxes in the city of Milwaukee; approved January 24th, 1851.

An act to appropriate to Peter W. Matts the sum therein named.

An act for the relief of those persons commonly called seventh day Baptists and others who keep the seventh day of the week as a day of rest.

An act to appropriate funds for the benefit of the Institution for the Blind. J. B. JOHNSON.

The enrolled bills reported by the committee, were severally signed by the speaker,

And were thereupon transmitted to the Senate.

On motion of Mr. Hale,

The assembly adjourned until half past six o'clock A. M. of the 17th instant.

MONDAY, March 17, 6½ A. M.

Prayer by Rev. Mr. Woodward.

The reading of the journal of the 15th instant was dispensed with.

Mr. Jenkins moved that a committee of three be appointed to wait upon the Governor, and inquire whether His Excellency had any further communication to make to the assembly.

Which was agreed to.

And Messrs. Jenkins, H. Johnson, and Wilson were appointed such committee.

The committee having performed the duty assigned them, reported that the Governor would presently transmit to the assembly four messages in writing.

Mr. J. B. Johnson, from the committee on enrollments, submitted the following

REPORT:

The committee on enrollments have presented to his Excellency, the Governor, for his approval

No. 170, S., a bill to amend an act entitled "an act to incorporate the Milwaukee Fire Insurance company.

And

No. 192, S., a bill to incorporate the Madison Mutual Insurance company. J. B. JOHNSON.

Messages in writing from the Governor, by George P. Delaplaine, Esq., private secretary :

EXECUTIVE DEPARTMENT,
Madison, March 15, 1851.

To the Assembly—

I have this day approved, signed and deposited in the office of the Secretary of State acts of the following titles :

An act to repeal an act authorizing the construction of a bridge across the south branch of the outlet of Lake Winnebago, approved February 5th 1850.

An act to authorize the draining or lowering of North Lake in the town of Merton, county of Waukesha.

An act for the relief of the several counties of this State.

An act in relation to swamp lands.

An act to appropriate to the county of Rock the sum therein named.

An act to permanently locate the county seat of Columbia county.

An act to incorporate the Richland city bridge company.

An act to lay out certain roads therein named.

An act to vacate a part of the town plat of the village of Oshkosh and to legalize a subsequent survey.

An act to provide for laying out a state road therein named.

An act supplementary and amendatory to an act entitled "an act to incorporate the city of Milwaukee, and acts amendatory thereto.

An act to authorize Thomas J. Townsend to keep a ferry across Fox river.

An act to authorize the inhabitants of Union school district, composed of dist'cts 5, 7 and8, in the towns of Porter, Union, and Dunkirk in the counties of Dane and Rock, to raise a tax for building a school house.

An act for the relief of the town of Green Bay.

An act for the relief of school district no. 4, in the towns of Janesville and Harmony, in Rock county.

An act to appropriate to William H. Howard the sum therein named.

An act to legalize the acts of the district board of school district no. 9, of the town of Eagle, in Waukesha county, for the year one thousand eight hundred and fifty.

Memorial to Congress for a grant of land to aid in the construction of a rail road from Fort Winnebago to the mouth of the St. Croix river, on the Mississippi river.

An act to incorporate the city of Milwaukee,

An act to legalize certain roads therein named.

An act to appropriate to Jerome R. Brigham a sum of money therein named.

An act to provide for the payment of the contingent expenses of the state of Wisconsin for the years 1850 and 1851.

An act to appropriate to John C. Lewis, treasurer of Dodge county, the sum therein named.

An act to provide for the superintendence of the state library, for the purc hase of books for the same, and for other purposes.

An act to incorporate the Manitowoc and Mississippi rail road company

An act to incorporate the North Western Art Union.

An act authorizing George Stevens to improve the Little Bull Falls on the Wisconsin river, and repeal an act approved February 1850.

An act to authorize Henry J. Elliot and his associates to build and maintain a bridge across Fox river at Delhi in the county of Winnebago.

An act to appropriate funds for the benefit of the institution for the blind.

An act supplementary to an act entitled "an act to authorize the assessment and collection of taxes in the city of Milwaukee.

An act for the relief of those persons commonly called Seventh Day Baptists, and others who keep the seventh day of the week as a day of rest.

An act to appropriate to Peter W. Matts the sum therein named.

An act to incorporate the Portage bridge company.

An act to incorporate the Sheboygan and Calumet plank road company.

An act to incorporate the St. Croix Boom company.

An act for the relief of school dist. no. 2, in the town of Richmond in the county of Richland.

An act to extend the limits of the town of Rushford in the county of Winnebago.

An act to authorize the construction of a bridge across the Wolf river at Winneconna.

An act to appropriate to H. Sadd the sum therein named.

An act to amend an act concerning the fees of sheriffs and other persons.

An act to provide for the fees of sheriffs.

An act to appropriate to the different persons therein named the sum of money set down to each person separately.

An act to appropriate to certain persons the sums therein named.

An act appropriating to Ira Gates the sum therein named.

An act to appropriate to Moritz Shoeffler the sum therein named.

An act appropriating to Darwin Clark the sum therein named.

An act to appropriate to King & Fuller the sum of money therein named,

An act to appoint certain commissioners therein named.

An act to legalize school district no. 4 in the town of Ottawa.

An act in relation to streets, alleys, and sewers in the city of Milwaukee.

An act granting to Henry W. Kingsbury the right to keep

and maintain a ferry across the Wisconsin river.

An act to prevent the killing of game therein named in certain seasons of the year.

An act relating to the release of one or more debtors.

An act to authorize the construction of a bridge across Wolf river at Mukwa in the county of Waupacca.

An act to authorize the construction of a dam across the Baraboo river.

An act to provide for a settlement with Thomas Reynolds, a contractor for work done on the Portage, for damages.

And acts of the following titles were approved, signed and deposited as aforesaid on the 17th instant:

An act to establish the minimum price of the University lands and granting pre-emption rights thereto.

An act to appropriate to William Gansman the sum therein named.

An act to appropriate to James Campbell, a certain sum of money therein named.

An act to incorporate the Port Washington and Fond du Lac plank road company.

An act to appropriate to Ole Torgeson the sum therein named.

An act to legalize the acts of Jost. D. Petrie, superintendent of schools of the town of Concord.

An act concerning sales for taxes.

An act to vacate a certain alley in the village of Greenbush Sheboygan county.

An act to pay Moritz Schoeffler the sum therein named.

An act to appropriate to Bird and Mills, the sum therein named.

An act to appropriate a certain sum therein named to Alden and Holt.

An act authorizing the Register of Deeds of Manitowoc county to obtain from the Register of Deeds of Brown county certain instruments therein named.

An act to appropriate John T. Wilson, the sum therein named.

An act to amend an act entitled "an act to incorporate the Fort Winnebago and Duck Creek plank road company, approved February 9, 1850.

An act to authorize school district number four in the town of Waldwic in the county of Iowa, to draw its proportion of school moneys for 1850.

An act to appropriate to J. H. Lewis the sum therein named.

An act to appropriate to James Densmore, the sum therein named.

An act to appropriate to J. L. Marsh the sum of money therein named.

An act to vacate a part of the territorial road in Dodge co., surveyed by Victor M. Adams, under the direction of Isaac Noyes and Benjamin Clason commissioners, and established by an act of the Territorial Legislature, approved Feb. 22, 1845.

(Signed) NELSON DEWEY.

EXECUTIVE DEPARTMENT,
Madison March 17, 1851.

To the Assembly:

The bill entitled "an act in relation to the improvement of the Capitol" provides conditionally for the enlargement of the Capitol, and for the sale of the lands granted by congress for state house purposes to accomplish this object, and further, that such improvement shall not be commenced, until a sufficient sum shall be raised from the sale of these lands to complete it.

I object to the passage of this bill, because it is too uncertain and indefinite in effecting the result apparently desired by the legislature.

If the wants of the legislature essentially demand this enlargement, an unconditional provision should be made by law, directing it, and certain positive pecuniary means provided, to carry it out at once, and not depend upon the uncertain avails arising from the sale of these lands.

The lands not yet located of the grant, cannot be selected,

and approved by the general government, so as to be brought into market, until next fall, it being a fact that it requires about six months to obtain the approval of the government, which is necessary before the title rests in the state, and as nothing can be accomplished towards the proposed improvement the present year, it would therefore be sound economy on the part of the state, to postpone any action until some future session of the legislature. Meantime the lands will be enhanced in value, and in my opinion, other lands, if sold at this time, would not be adequate to meet the enlargement designed by the legislature.

Although it is provided by this bill, that the improvement shall not be commenced until sufficient funds are raised from these lands to complete it, yet there is nothing in the bill to prevent the commissioners from entering into contract at any time after the plans are approved by the Governor, and should the state hereafter not wish to have the improvements made, damages would be exacted to obtain a surrender of the contract.

This bill limits the expense of this improvement to the avails of these lands, and I object to this feature, because in my opinion, such avails will not construct such improvements of the capitol if any are made, as desired or contemplated by the legislature, and it will finally result in direct tax upon the people, which they are little able to bear, at present. If the lands are insufficient at this time, to carry out the object of this bill, it would be bad economy to throw them into market when an increased value might be obtained by retaining them. The bill also provides for an appraisal of these lands, but fixes no minimum price, and they may be sold at the lowest possible price either at public or private sale, upon terms of payment at the discretion of the commissioners, to which I object. All public officers in selling the real estate, should be restricted to a minimum price.

For these reasons and because the main object of the bill

cannot be accomplised this season, I return it to the assembly in which it originated, without my signature.

(Signed) NELSON DEWEY.

EXECUTIVE DEPARTMENT,
Madison, March 17, 1851.

To the Assembly:

The bill entitled "an act to apportion and district anew the members of the Senate and Assembly of the State of Wisconsin;" districts the state into twenty-two Senate and seventy-six Assembly districts, in accordance with the third section of the fourth article of the Constitution, which imposes this duty upon the legislature.

That instrument declares, that the legislature shall apportion and district the members of the Senate and Assembly, according to the number of the inhabitants.

The population of the State on the first day of June last, as taken by the United States Marshal, is three hundred and five thousand, five hundred and sixty-nine. With this population and number of Senators and Assemblymen, the ratio of representation to the Senate is 13,889, and of the Assembly 4,020.

I object to the provisions of this bill, because the apportionment in many cases, is not made upon the constitutional basis. A comparison of some of the senatorial districts with the ratio and with each other, will clearly present its unconstitutional features.

The county of Milwaukee is divided into two senatorial districts, numbered eight and nine. The ninth district, contains 16,079 inhabitants, and this bill districts it into three Assembly districts. The eighth district has a population of 15,044; and this bill districts it into five Assembly districts.

Upon what basis these two senate districts in the same county, are divided into Assembly districts thus unequal, it is difficult to imagine a satisfactory reason; and it is certainly not upon the constitutional principle stated.

The nineteenth senate district, contains 11,556, and is dis-

tricted by this bill into two assembly districts, and the 21st senate district contains 10,479 and is districted into three Assembly districts.

The disparity is equally apparent in these two districts.—The 20th district, has 8583, with two assembly districts.—When the districts are compared with each other as to population and number of Assembly districts in each, the conflict of this bill with the constitution on this subject, is too clear and palpable to be overlooked.

The 10th Senate district (Jefferson county) with a population of 15,339, is districted into three assembly districts only, with a fraction of 3259, which is only 741 less than a full ratio, and under this should be divided into four districts.

The third district, with a population of 4,232, has three Assembly districts.

These and some minor deviations from the basis of apportionment adopted by the fundamental law, renders the bill so clearly unconstitutional, that if passed into a law, it would be ineffective and inoperative.

It is not supposed or contended however, that the apportionment can be made in an exact ratio; but it is necessary to approximate as near as may be to an equal and joint districting of the State, into Senate and Assembly districts, which approximation this bill does not meet, and is in my opinion clearly in violation of the Constitution. The bill is therefore returned to the assembly in which it originated, without the executive sanction.

(Signed) NELSON DEWEY.

The messages from the Governor having been read,

The assembly proceeded to reconsider the vote by which they passed bill

No. 168, *a.*, a bill in relation to the improvement of the capitol;

The question, "shall the bill pass, notwithstanding the objections of the Governor?"

Was put,

And decided in the negative.

Those who voted in the affirmative, were

Messrs. Bird, Boyce, Briggs, Spooner and Tompkins—5.

Those who voted in the negative, were

Messrs. Bjornsen, Bradley, Cavney, Chase, Clothier, Doran, Eastman, Easton, Estabrook, Fuller, Groot, Hale, Hemenway, Hulburt, Jenkins, H. Johnson, J. B. Johnson, Julius, Ladue, Malmros, Moore, Moorman, Osborne, Perkins, Price, Rodolf, Rogan, Smith, Snover, Stock, Van Vliet, Waldo, Walker, Wilson, Wing and Horn (speaker)—38.

The assembly then proceeded to reconsider the vote by which they passed bill

No. 381, *a.*, a bill to apportion and district anew the members of the Senate and Assembly of the State of Wisconsin.

The question, "shall the bill pass, notwithstanding the objections of the Governor?"

Was put,

And decided in the negative.

Those who voted in the affirmative were,

Messrs. Bird, Bjornsen, Briggs, Chase, Eastman, Hulburt, Price, Rodolf, Smith, Tompkins, Waldo, and Walker—19.

Those who voted in the negative were,

Messrs. Boyce, Bradley, Cavney, Clothier, Doran, Easton, Estabrook, Fuller, Groot, Hale, Hemenway, Jenkins, H. Johnson, J. B. Johnson, Julius, Ladue, Malmros, Moore Moorman, Osborne, Perkins, Rogan, Snover, Spooner, Stock, Van Vliet, Wilson, Wing and Horn (speaker)—28.

A message from the senate by Wm. Hull Esq., their chief clerk;

Mr. Speaker—

I am directed to inform you that senate has concurred in the passage of bill no. 382, *a.*,

With amendments.

In which the concurrence of the assembly is requested.

The message from the senate was taken up and considered.

The amendment of the senate to said bill no. 382, *a.*,

Was concurred in.

And the ayes and noes having been called for and ordered,

Those who voted in the affirmative were,

Messrs. Bird, Bjornsen, Boyce, Bradley, Briggs, Chase, Doran, Eastman, Estabrook, Hale, Hulburt, Jenkins, H. Johnson, Julius, Ladue, Malmros, Moore, Moorman, Murphy, Price, Smith, Snover, Stock, Tompkins, Van Vliet, Waldo, Walker, Whitton, Wilson, Wing, and Horn (speaker)—31.

Those who voted in the negative were,

Messrs. Cavney, Clothier, Easton, Fuller, Groot, Hemenway, J. B. Johnson, Perkins, Rodolf, Regan and Spooner—11.

A further message from the senate, by their chief clerk:

Mr. Speaker.

I am directed to inform you that senate has adopted the following resolution, to wit:

Resolved by the senate, (the assembly concurring,) that a joint committe, two from each house, be appointed to wait upon the Governor, and inform him that the legislature has gone through with the consideration of the business of the session, and ascertain if he has any further communication to make to them.

And that senate has appointed Messrs. Huebschman, and Rountree said committee on part of senate.

Said resolution was adopted.

And Messrs. Walker and Spooner were appointed to represent the assembly in said committee.

Mr. J. B. Johnson, from the committee on enrollments, reported said bill no. 382, *a.*, correctly enrolled.

Said enrolled bill was signed by the speaker.

And was thereupon transmitted to the senate.

Mr. H. Johnson introduced the following resolution, which was adopted, to wit:

Resolved, That the chief clerk and his assistant merit our warmest thanks and admiration for their correct business hab-

its and untiring industry in the discharge of their various and arduous duties during the present session.

Mr. J. B. Johnson, from the committee on enrollments, reported that the committee had presented to the governor, for his approval

An act to provide for clerk hire in the offices of Secretary of state, State Treasurer and Superintendent of Public Instruction.

Mr. Doran introduced the following resolution:

Resolved, That the thanks of this assembly are due, and are hereby tendered to the honorable speaker for the prompt, attentive, courteous and impartial manner in which he has discharged the important duties that have devolved upon him during the present session.

Said resolution, (Mr. Walker being in the chair)

Was adopted.

The speaker resumed the chair,

And the hour of seven o'clock A. M., (fixed by joint resolution, as the hour for the adjournment of the legislature,) having arrived,

Addressed the assembly as follows:

GENTLEMEN: The business of the legislature is about being closed, and I avail myself of this opportunity to express to you my most sincere thanks, for the support and kindness always extended to me during the present session. We have been here about ten weeks, and more business has been transacted by us during that time than by any former legislature.

About three hundred and eighty bills have been introduced in this House, and about two hundred and sixty in the other branch, making a sum total of about six hundred and forty; of which comparatively few have failed to become laws. Upon every one of these bills action has been had, and not one has failed on account of our adjourning this day.

The business has been transacted, I have no doubt, to the satisfaction of members generally, and if our constituents are equally as well satisfied with our doings, we have just reason to congratulate ourselves.

Considering the vast amount of business thus transacted in sixty nine days, we may not be surprised if, upon a more leisurely survey, we find that some laws passed during this session may need amending. Some of our statutes have been greatly changed, and it would be highly desirable to have this sessions laws printed and distributed as soon as possible.—These frequent amendments to the general laws of our state have, without doubt, arisen from the imperfect and hasty manner in which the statutes were revised, and I hope and trust that the amendments we have made will meet with the approbation of the people. although it has always been my doctrine to meddle as little as possible with statute laws, unless a change is loudly called for by the people.

I am well satisfied in my own mind that the disposition we have made of the usury law, the bank question, the apportionment, the license law and the land limitation, will be approved of by a majority of the people, as being the best that could have been made considering the various views of members, and the different interests of the state.

I have never been in any legislature where I have observed a greater desire to do right, where there existed a greater degree of harmony and good feeling among members, than during the present session, and although some exciting subjects have been discussed and acted upon, in no single instance have you violated any rules of propriety, courtesy and decorum.

As far as I am concerned I must assure you, gentlemen, that I have tried to do justice to all, and to act impartially in my decisions; and if I have merited your approbation as expressed in the resolution you have just passed, I consider myself happy in having obtained the object I had in view when I first took the chair to preside over your deliberations.

In the performances of my duties I have been greatly assisted by our accomplished chief clerk, Mr. GRAY, to whom I would tender my best respects and thanks on this occasion.

Allow me to say to you, gentlemen, that your uniform kindness, your forbearance when I was at fault, and the friendly

associations I have formed with almost every one of you, will always be gratefully and proudly remembered by me, and treasured in my heart until it ceases to beat.

We are now on the eve of parting, many of us to meet no more on this earth; may you find your friends and families at home in health and prosperity—take my best wishes for your happiness with you—I bid you a final and fond farewell.

Gentlemen, the last duty as presiding Officer of this House, I shall now perform, by pronouncing this Assembly adjourned *sine die*.

APPENDIX.

EXECUTIVE DEPARTMENT,
MADISON, March 4, 1851.

To the Assembly:

In pursuance of the provision contained in the constitution, the statement of each case of reprieve, commutation or pardon granted by the Governor of this state, during the year 1850 setting forth the name of the convict, the crime of which he was convicted, extent and date of sentence, where convicted and date of reprieve, commutation or pardon, with the reasons for granting the same is herewith communicated for the information of the legislature.

NELSON DEWEY.

STATEMENT

Of each case of Reprieve, Commutation, or Pardon, granted by the Governor of the State of Wisconsin, from the first day of January, A. D. 1850, to the 1st day of January, A. D. 1851.

Name of Convict.	Sentence.	Crime.	Date of Sentence.	Where Convicted.	Date of Commutation or Pardon.	Reasons for Pardons, and Remarks.
Patrick Skeahan,	3 months in county jail,	Petit Larceny.	January 23, 1850.	Milwaukee co.	February 11, 1850.	Doubt as to intentions to commit crime.
Norman Stewart,	Fine of 25 dolls.	Assault and battery and riot.	April 3, 1849.	Marquette co.	February 15, do	These persons were tried on the same indictment and were pardoned on the ground that they were not guilty of the offence charged.
Nathaniel Wilkins,	Fine of 75dolls.	Same.	do do	Marquette co.	February 11, do	
Jacob P. Moulton,	3 months in county jail,	Same.	do do	Marquette co.	February 11, do	
John Waters,	3 months in county jail,	Petit Larceny.	January 23, 1850.	Milwaukee co.	February 11, do	Recommended for pardon by the court that tried them, on the ground that the punishment received was sufficient to the offence committed; pardoned for that reason.
Edward Keogh,	3 months in county jail,	Same.	do do	Milwaukee co.	February 11, do	
Stephen Buckline,	Fine $300 and costs of pros.	Assault,	April 10, 1850.	Washington co,	May 24, do	Fine beyond ability of convict to pay. Fine abated to $100 and costs.
Thomas Fanning,	1 yr. and 1 day, State Prison,	Larceny,	October 23, 1849.	Racine co.	January 15, do	Good conduct of Prisoner, and illness from hemorrage of the lungs.
James Powderly,	1 year in county jail,	Embezzlement,	October 27, 1849.	Fond du Lac co.	June 19, do	Clemency, in consideration of the youth of the convict.
Kunti Kuntisen Gildi,	To be executed,	Murder,	May 3, 1850.	Sheboygan co.	June 19, do	Insanity of convict; and in opinion of the court, conviction not warranted by the evidence.
John H. Hays,	6 months county jail,	Sending threatening letters,	March 20, 1850.	Waukesha co.	July 2, do	Sentence executed sufficient, in opinion of court.
John Dunn,	5 months in county jail,	Petit Larceny.	February 23, 1850.	Milwaukee co.	July 8, do	Clemency based on mitigating circumstances, not known to court when sentence passed.
William Murphy,	50 dolls. fine and costs.	Assault and Battery,	August 21, 1850.	Kenosha co.	August 21, do	Conditioned that he leave the state. Clemency.
Sylvester S. Parmenter,	3 years and 10 days State Pris.	Attempt to commit rape,	May 1, 1849.	Racine co.	September 3, do	Doubt as to credibility of prosecutrix, on whose evidence prisoner was convicted: also, ill health of the convict.
George Cogswell,	1 year county jail,	Passing counterfeit money.	March 4, 1850.	Milwaukee co.	September 3, do	Sufficiently punished. Imprisoned 11 months.
Battiste Robadeau,	To be executed,	Murder,	August 29, 1850.	St Croix co.	October 9, do	Sentenced to be hung and sentence suspended indefinitely and until Supreme Court decided conviction legal. Convicts were convicted at a *special term* of the court, and strong doubts existed as to the legality of the indictment.
Ostroga,	To be executed,	Murder,	do do	St. Croix co.	October 9, do	
George Campbell,	3 mos. co. jail; $10 fine,	Larceny,	Sept. 17, 1850.	Columbia co.	October 28, do	Convicts aged 14 and 16 years and pardoned on account of their youth, and that the conviction was erroneous.
Thomas Campbell,	3 mos. co. jail; $10 fine,	Larceny,	Sept. 17, 1850.	Columbia co.	October 28, do	
William Sellard,	1 yr. and 1 day, State Prison,	Obtaining goods by false pretences,	Nov. 1, 1849.	Racine co.	November 28, do	Restored to citizenship; justice demanded it, based on the value of goods obtained. (Only one dollar.)
David J. Odell,	6 years State Prison,	Manslaughter,	Nov. 9, 1848.	Iowa co.	November 28, do	Executive clemency, based on numerous petitioners.
Levi Bates,	2 years State Prison,	Larceny,	Nov. 1, 1849.	Iowa co.	November 28, do	Pardoned, conditioned that he absent himself from the state for 5 years.
William Miller,	1 year county jail,	Riot,	Nov. 24, 1850.	Milwaukee co.	November 29, do	Pardoned, on condition that he give bonds for good conduct hereafter for 5 years.
Thos. H. Dodson,	1 year State Prison,	Larceny,	March 29, 1850.	Rock co.	December 12, do	The convict pardoned on account of his youth, and sentence nearly expired.
William Murphy,	$50 fine and 10 days in co. jail,	Selling whiskey without bonds.	October 23, 1850.	Racine co.	December 23, do	Executive clemency, and inability to pay the fine and costs.

ADDITIONAL REASONS.—Nearly all the cases of Pardon were granted upon the application of numerous Petitioners, and public justice would be subserved by the action had.

NELSON DEWEY.

EXECUTIVE DEPARTMEMT,
MADISON, March 17, 1851.

To the Legislature of Wisconsin :

Herewith I transmit to the Legislature, a statement of the expenditure of the fund, appropriated by law, for the year 1850 to defray the contingent expenses of the Executive Office, which shows a balance of thirty five dollars and sixty five cents, unexpended, which has been carried to the credit of the contingent fund of this office for the year 1851.

NELSON DEWEY.

STATEMENT.

NELSON DEWEY, Governor of Wisconsin,

In account with the state of Wisconsin, Dr.,

Jan. 1. 1851. For balance unexpended of appropriation for contingent expenses of Executive Department of 1849,		$44 13
For appropriation to meet contingent expenses of Executive Department for 1850,		$600 00
		$644 13

Cr.

By paid G. P. Delaplaine services as private secretary from Dec. 31st 1847 to Jan. 1st 1851, 1 year,	$500 00	
" Paid postage from Jan. 1, 1850, March 31, 1850,	15 93	
" Paid postage from 31st March 1850 to July 1st 1850,	27 68	
" Paid postage from 1st July 1850 to October 1st 1850,	25 10	
" Paid postage from Sept. 30, 1850 to Nov. 4, 1850,	25 91	
" Paid postage from November 3d, 1850 to Jan. 1st. 1851,	13 86	$608 48
Unexpended and remaining on hand and carried to credit of fund of Executive department for 1850		$35 65

NELSON DEWEY.

REPORT

OF THE

SECRETARY OF STATE,

AND THE

ABSTRACT ACCOMPANYING THE SAME.

SECRETARY'S OFFICE,
MADISON, Jan. 1, 1851.

SIR:

I herewith transmit through you, to the legislature, my annual report as Secretary of State.

Very respectfully,
Your obedient servant,
WM. A. BARSTOW,
Secretary of State.

His Excellency,
NELSON DEWEY.

REPORT.

SECRETARY'S OFFICE,
MADISON, Jan. 1, 1851.

To the Legislature:

The law defining the duties of the Secretary of State provides that he shall "report annually to the legislature in connection with his report as Auditor, any matter pertaining to his office as secretary, not embraced in such report as Auditor," also to exhibit to the legislature at its annual meeting, a complete statement of the funds of the State, of its revenues and of the public expenditures during the preceding year, specifying therein, each object of expenditure, and distinguishing between such as are provided for by permanent or temporary appropriations, and such as are required to be provided for by law, and showing the means from which such expenditures are to be defrayed."

The following are the funds of the State.

1st. The general fund, which is formed mainly of the State taxes levied and collected in the several counties, and payable annually into the State treasury, against which, the ordinary expenses of the government are charged.

The amount credited to this fund, is as follows, viz:

For the State tax of 1848,	$58,533 37
For the State tax of 1849,	99,822 35
	$158,355 72

Against which has been charged as follows:

For appropriations in 1848 and 1849,	$90,155 22

For appropriations in 1850,	62,746 20
	$152,900 75
Showing a balance to the credit of this fund on the 31st December, of	$5,454 97
Add state tax of 1850,	54,886 23
Total balance on the 1st of January, 1851,	$60,341 20

2nd. The judiciary fund.

This fund is created by a tax of one dollar on each suit commenced in the several circuit courts, and is by law set apart, as a separate fund, known as the "judiciary fund," and appropriated towards the payment of judges. The amount reported by the clerks of court as taxed on suits, from the time the law providing for the same took effect, to the present time; is $3,090 00, which amount appears to the credit of said fund.

This amount is supposed to fall far short of the real amount that should have been reported. In some instances clerks have entirely failed to make any report whatever, while in others, it has been partially omitted. The attention of the clerks has been repeatedly called to the law, requiring quarterly reports to be made to this office and the payment of the tax either to the judges or state treasurer.

It is estimated that not more than two thirds of the amount taxed has been reported, of which amount, about the same proportion has been paid as required by law.

To obviate the difficulty, it is suggested that some action of the legislature is necessary in the premises.

3d. The school fund.

This fund is created by the proceeds arising from the sale of school lands, the five per centum of the nett proceeds of the sales of government lands to which this state is entitled and the fines collected in the several counties for any breach of the penal laws—the income of which, is by law annually apportioned by the superintendent for the support of common schools.

The books and records in this office on the 31st of December, exhibit the following, connected with this fund.

Amount unpaid on lands sold, and drawing interest at the rate of seven per cent.		444,409 76
Received on account of lands sold,	$70,804 00	
Received from U. S. treasury on account of the five per centum,	22,537 56	
From all other sources,	343 09	$93,684 65
Total amount of school fund Jan. 1, 1851,		$538,094 41

Loans have been made of money received as follows, viz:

Of the amount received from sales of land, on bond and mortgage,	65,853 64
To the state university under act of 1850. The amount received from the U. S. on account of the five per centum,	22,537 56
Total amount loaned,	$88,391 20
Leaving a balance now in the treasury subject to loan under the provisions of chapter 24, revised statutes of,	$5,293 45

The receipts into the treasury on account of the income of the school fund have been as follows, viz:

For interest on money loaned in Racine, in 1849,	$588 00
For interest on money loaned, and sales of land to January, 1851,	23,548 45
Total receipts.	$24,136 45

Payments out on account of same are as follows:

On apportionment of state superintendent to counties in 1850,	$394 81	
By commissioners for printing, books, stationary, &c., as per report,	1,818 73	$2,213 54
Balance in treasury on 1st January, 1851,		$21,922 91

Amount due on apportionment of 1850,	$193 19	
Amount collected on account of interest due in 1851, and included above,	1,078 30	$1,271 49
Amount in treasury subject to apportionment in 1851,		$20,651 42
To which may be added the amount of interest due, during present month on lands sold,		27,065 35
Total amount subject to apportionment in 1851, by superintendent for support of common schools,		47,716 77

Fines to a considerable amount it is supposed, have been collected by county officers, and justices of the peace, which, by the terms of the constitution belong to the school fund.—The amount of fines paid into the state traasury since the organization of state government is 143 09. This amount was paid by the treasurers of the following named counties. Walworth, 37 20. Washington, 9 80. Waukesha, 4 90.—Green, 22 86. Rock, 19 60. Jefferson, 36 26. Manitowoc. 10 47.

The amount remaining in the hands of officers, which should be paid into the treasury is without doubt worthy of attention, and the propriety of making the necessary provisions therefor, is suggested.

4th. The university fund.

This fund consists only of the proceeds arising from the sale of university lands, the income of which is by law appropriated to the support of the state university.

The records in this office show the following as the state of this fund at the close of the year 1850.

Amount received by commissioners for the sale thereof, in 1850.	$1,623 28
Amount of purchase money unpaid and draw-	

ing interest at seven per cent,	9,276 00
Total amount of university fund on 31st December, 1850,	10,899 28

Of the amount received on account of sales of land, the sum of 1,170, 00, has been loaned on bond and mortgage in pursuance of law.

Now in the treasury subject to be loaned,	436, 88
Paid by commissioners for appraising land,	16 40
Total.	1,623 28
Amount of interest received on account of sales, and money loaned,	441 67
Interest for one year on the amount due upon land sold, (due this day,)	649 32
Amount subject to be drawn for state university present year,	1,090 99

5th. The fund for the blind.

"An act to incorporate the Wisconsin institute for the education of the blind," to be located in the village of Janesville; approved, February 9, 1850, provides, "that for the purpose of aiding in the establishing of a school under the provisions of said act, a tax of one fifteenth of one mill shall be levied upon every dollar's worth of taxable property in this state, to be assessed and collected for the ordinary purposes of the government for the present year, and that the treasurer shall keep the same as a separate fund to be known as the 'fund for the blind," and pay the same to the board of trustees on the allowance of the governor.

The first provision to create this fund being made within the last year, and the tax not being payable until the present month, nothing as yet has reached the treasury to the credit of the same. Should the tax be promptly paid, the fund for the year 1851, will amount to the sum of $1,830 13, as per abstract marked F.

The accounts kept with the treasary show on the 31st December, the following, viz :

In treasury 1st January, 1850, on account of general fund.

Cash,	$10 43	
Iowa co., orders,	300 00	$310 43
On account of school fund,		160 11
" " " " " income,		588 00
Paid during the year 1850, into the treasury on account of general fund,		93,889 88
On account of school fund,		87,641 98
" " " university fund,		1,623 28
" " " school fund income,		23,548 45
" " " university fund income		441 67
Total am't on account of all funds,		$208,203 80
Payments from the treasury during the same time, for appropriations on account of general fund in 1848, 1849 and 1850, as per vouchers presented and cancelled,		$86,951 39
For loans from school fund,		$79,991 29
" " " university fund,		1,170 00
On apportionment of state superintendent for the year 1850,		394 81
Sundry expenses as per commissioners' report,		1,818 73
Appraisals school lands per commissioners' report,		2,534 14
Total payments on account of all funds,		$172,860 27
Balance in treasury on account of all funds,		35,343 53

follows, viz: as

On account of general fund—

Cash,	$6,948 92,	
Iowa co., orders,	300 00,	$7,248 92
On account of school fund.		5,293 45
" " " university fund,		436 58
" " " school fund income, viz :		
On apportionment of 1850,	$193 19	

" " collections of same year,	20,651 42	
" " " for 1851,	1,078 30	21,922 91
" " university fund income,		441 67
		$35,343 53

The expenses of the state for the fiscal year ending December 31, 1850, provided for by permanent appropriations, and appropriations of that year, including sundry prior indebtedness may be stated as follows :

Salarei s of state officers and judges,	$13,592 33
Legislative expenses,	14,309 58
Stationery,	1,218 84
Printing, including journals and laws of previous year,	8,793 44
Locating state lands,	1,113 38
Maintaining state convicts,	2,319 27
Expenditures on public buildings,	3,093 52
Miscellaneous expenses, including Revised Statutes of 1849,	16,356 59
Territorial indebtedness,	1,949 25
Total expenditures in 1850,	$62,746 20

(See detailed statements marked A. and B.

Herewith (marked C.,) will be found a detailed estimate of expenses to be defrayed from the treasury during the present year, amounting in the aggregate to the sum of $80,193 69, which may be embraced under the following heads, viz :

For salaries,	15,950 00
" legislative expenses,	24,800 00
" printing, including laws and journals of 1850,	7,500 00
" maintaining state convicts,	3,500 00
" additions to state library,	2,500 00
" locating state lands,	500 00
" territorial debts,	12,892 50
" 200 vols. Chandler's reports,	600 00
" unpaid appropriations of 1849 and 1850,	1,683 33

" books, binding, stationery and postage,	2,294 50
" miscellaneous expenses,	4,973 36
" contingent expenses of the state,	3,440 00

Statement marked D., showing the means by which the expenses of the present year are to be defrayed will be found herewith. The amount included in such statement will be found to exceed the estimated expenses the sum of 18,021-31. Should the estimates of expenses prove sufficiently large, it is believed that enough will be realized from the revenue properly applicable to the same, to meet promptly all demands upon the treasury. The claim of the state against David Merrill, late receiver of canal land, is not included in the resources of the present year—the same not having been so far adjusted as to render it certain that anything will at present be realized.

Abstracts of balances due from counties prior to the year 1851. Clerks of court so far as reported, and of the canal land mortgages, received of David Merrill late receiver, will be found herewith, marked G. H. and I.

The attorney general has been furnished with a copy of the abstract of balances due from counties, accompanied with a request that he should before commencing legal proceedings for the collection thereof, notify the proper county officers, and it is believed that in most instances these balances will be paid during the present year.

From the assessment returns received at this office, it appears that the state tax for the year 1850, and payable into the treasury the present year on account of the general fund, amounts to the sum of 54,886 23, as per abstract marked E.

For the purpose of distinguishing between territorial and state debts and expenses defrayed since the organization of state government, an account has been opened with the territory on which has been charged all payments from the treasury on account or any territorial liability, and crediting the same with all moneys then in the treasury, and sundry balances due from counties, which account, at this date exhibits the following, viz :

Credits to the amount of		17,650 52
Against which has been charged for payments in		
1848,	199 46	
1849	3,472 61	
1850,	1,949 25	
Total payments,	5,621 32	

Showing a balance in favor of the territory of 12, 029 20, to which may be added as the same shall be realized, the amount due on canal land mortgages 10,211 82. The amount due from David Merrill, late receiver of canal lands, and the amount supposed to be due from the United States, which after the payment of all known liabilities for the territory, will, in any event leave a balance of several thousand dollars in favor of the same.

Information received from Hon. James D. Doty renders it probable that in the adjustment of the claims of this state against the United States, the sum of about 8,000 will be realized from the treasury department for bonds and scrip redeemed by the territorial treasurer which was authorized by act of congress to be paid by the United States.

The above amount will appear in the estimated receipts of the treasury the present year.

A claim against the territory for stationery and candles furnished in 1839, has been presented by Messrs. Benton & Garfield of Lee, Massachusetts, amounting at the date thereof, to the sum of $476,13, to which adding eleven years interest at seven per cent., will make the claim at this time $842,75. No doubt exists as to the justness of this claim. The legislature in 1846, passed an act to provide for the payment of said claim, with interest to that date. No evidence whatever appears in the treasurer's or secretary's office, of the payment of the same. The amount including interest will be found included with other liabilities to be provided for the present year.

The petition of Caleb Benton and Harrison Garfield relative to the matter in question is herewith transmitted.

An appropriation of $1000 was made to the treasurer at the last session of the legislature for the erection of a fire-proof money vault, in the then supreme court-room, which was intended, as was supposed for the use of the treasurer's office. The secretary's office being by law made the place of deposit for all deeds, conveyances, leases, bonds, mortgages, securities for money, books, records, parchments, papers and other articles and effects, belonging to the state, and the law defining the duties of the secretary requiring him from time to time to provide for the arrangement and preservation thereof, in such manner as should be necessary; and in view of the present great and increasing value of the effects referred to, I deemed it my duty to authorize the treasurer to erect a double vault, so that both the treasurer and the secretary might have a proper place for the safe keeping of such effects as properly belong to their respective offices.

The work has been completed at an expense exceeding the appropriation, of the sum of $651,61, as will appear in the statement of expenses for the year 1850.

Section 14, chapter 9, of the revised statutes, provides that "it shall be the duty of the secretary of state to cause the original enrolled laws and joint resolutions passed at each session of the legislature, together with an index containing the titles of the same, to be bound in a volume, in a substantial manner, &c."

In obedience to the foregoing statute, I have caused all the laws and resolutions referred to, (both of the territory and state,) to be bound in a neat and substantial manner in twenty volumes, at an expense of $8,00 each, the claim therefor, will be found in the estimate of expenses for 1850, and included in the amount claimed by Rood & Whittemore.

By an act of the legislature at its last session, the secretary of state was authorized to procure four large manuscript maps, one for each of the offices of the governor and secreta-

ry of state, and one for each of the halls of the senate and assembly.

In accordance with the provisions of said act a contract was made with Robert L. Ream for making the maps. The work is now completed and delivered, and is believed to be a well executed job. The price of the maps is by the terms of the act to be fixed by the legislature the present year, at not exceeding one hundred dollars each, which is thought to be but a moderate compensation for the work, claims for materials and instruments used in making the maps, will be found in the estimate of expenses for the year 1850.

Herewith marked J., will be found an abstract of the proposals received at this office for doing the printing of the state for the present year.

Robert B, Wentworth, for the incidental or first class; C Latham Sholes, for the journals and laws or second class; and Beriah Brown, for the blanks for the several state departments or third class; being the lowest bidders, were severally declared in accordance with the provisions of law, appointed to do the printing as above specified, and were accordingly duly notified.

Bonds approved by the governor have been filed in this office, for the faithful performance of the work.

Abstracts of census returns as made to this office by the U. S., marshal for the district of Wisconsin, marked K. and L. will be found herewith. Abstract marked K. being by towns, and made from the returns, will be found to vary in some respects from the one by counties marked L.

The latter is supposed to be correct as the same was procured from the records in the marshal's office.

Respectfully submitted.

Wm. A. BARSTOW,

Secretary of State.

A.

STATEMENT:

Of the expenses of the state for the fiscal year ending December 31, 1850, provided for by permanent provisions and appropriations of that year.

Salaries.

Governor,	1,250 00
Secretary of State,	1,200 00
State Treasurer,	800 00
Attorney General,	800 00
State Superintendent,	1,000 00
Librarian,	300 00
5 Judges of Circuit and Supreme Court, at 1,500 each,	7,400 00
Judge of 6th Circuit from 5th Aug. to 1st Jan.,	604 83
Services of Adjutant General,	137 50
	13,592 33

Legislative.

Mileage and per diem of members, pay of officers, clerks and assistants,	11,691 40
Newspapers for the use of members,	1,120 28
Postage of members,	1,095 85
Knives and gold pens for same,	402 05
	14,309 58

Stationery.

Simeon Mills for the year 1849,	41 72
E. A. Calkins for blank books,	124 50
Silas Chapman for Stationery for legislature and State departments,	1,052 62
	1,218 84

Printing.

David T. Dickson, State Printer, for balance due for the year 1849,	2,618 96
Beriah Brown for publishing laws 1849,	440 00
Shoeffler, Fratney & Herzberg, for publishing laws in German, 1849,	1,000 00
J. D. Reymert for do. in Norwegian,	750 00
Atwood & Buck, for publishing laws in 1849,	13 50
J. W. Seaton, for printing,	10 00
David T. Dickson, state printer, for incidental printing of two houses, 1850,	3,960 98
	8,793 44

State Lands.

Peter Burns, for locating,	420 00
James Giddings, "	84 00
David B. Travis "	244 88
Jerome Yates, "	39 00
A. W. Comfort "	243 00
G. H. Slaughter for plats,	72 00
Joel S. Fisk, " "	10 50
	1,113 38

State Prisoners.

Romanzo B. Rice, for support of,	714 00
Jackson Richardson " "	226 50
F. F, Davis, " "	171 62
Matthew Wood " "	64 00
Ransom Rice, " "	243 02
County of Racine, " "	426 14
County of Waukesha, " "	138 13
L. T. Rice, for guarding of,	210 00
J. & W. H. Carey, for clothing for,	86 43
Allen W. Hatch, for medicine for,	28 95
J. R. Rickey, for medicine for,	2 50
J. P. Reaves for medical attendance on,	8 00
	2,319 27

Public Property.

Sundry appropriations in and about capitol, furniture, &c.,	2,093 52
Appropriation for vault expended,	1,000 00
	3,093 52

Contingent Expenses.

Contingent fund provided for the Governor and State Superintendent, each 600,	1,200 00
James Morrison, P. M. Madison, for quarter's postage, Secretary of State,	42 91
J. C. Fairchild, postage Treasurer's office,	15 95
J. M. Lapham, wood engraving for school law,	81 00
Robert L. Ream for recording school and university land appraisals,	348 00
State Superintendent for contingent expenses of his office for the year 1849.	477 37
State Superintendent for traveling expenses for same year,	414 75
Offices of Secretary of State, Treasurer, and Attorney General, contingent appropriations each,	1,800 00
David Holt for sundry postage,	191 09
J. R. Brigham, clerk Supreme Court, fees in state suits,	18 50
Wiram Knowlton for locating and making road,	1,250 00
B. H. Campbell for candles,	260 33
P. W. Matts sheriff, for attendance on Sup., Court,	102 50
James Morrison for case for Superintendent's office,	30 00
J. G. Knapp copying laws,	30 00
Stephen Huggins copying laws,	20 00
James Halpin for work about capitol,	230 76

Peter W. Matts, for attendance on Supreme Court,	37 50
James Morrison, P. M. Postage state superintendent,	154 02
Eleazer Root for bill of books rendered,	50 00
Eleazer Root for map,	100 00
C. L. Sholes for Revised Statutes,	6,120 00
D. Holt bill stationery for state Superintendent,	30 50
Expended by the Governor per act of 1850,	3,000 00
James Morrison, P. M. sundry postage bills audited,	351 41
	16,356 59

WISCONSIN TERRITORY.—(App'ns for.)

Calumet county, part tax of 1845, '6 & '7 remitted,	64 48
Lyman Chapman interest on territorial bond,	70 00
James Hutchinson, costs in territoriai suits	47 45
Wm. Henry costs in territorial suits,	8 00
Alex. Mitchell interest on canal bonds,	140 00
Alex. Mitchell scrip surrendered,	5 00
Elisha Burdick territorial bond,	300 26
Joel Rathbone interest on bond,	140 00
M. V. Burris territorial bond and interest,	274 40
E. F. Ogden territorial scrip surrendered,	150 00
L. O. Shrader clerk fees in state suits,	14 66
Alex. Mitchell territorial scrip surrendered,	165 00
E. B. Dean, Jr., territorial bond surrendered,	570 00
	1, 949 25

RECAPITULATION.

Salaries,	13,592 33
Legislative,	14,309 58
Stationery,	1,218 84
Printing,	8,793 44

State Lands,	1,113 38
State Prisoners,	2,319 27
Public Property,	3,093 52
Contingent Expenses,	16, 366 59
Wisconsin Territory,	1,949 25
	62,746 20
Estimate marked B.,	14,567 61
	77,313 81

B.

ESTIMATE

Of the expenses of the state for the year ending 31*st December*, 1850, *for which no provision has been made.*

State printer for laws and journals, supposed about,	$7,000 00
State printer for blanks and advertising, supposed about,	500 00
Rood & Whittemore for books, binding and stationery, for offices of Secretary, Treasurer, State Superintendent and Attorney General, per acc't rendered,	502 75
Robert L. Ream for making four large manuscript maps,	400 00
Silas Chapman and others for materials and instruments for maps,	170 00
Robert W, Lansing for sixty days work in indexing laws, and preparing same for binding,	150 00
J. C. Fairchild for expenses in erecting vaults, over and above appropriation for same,	651 61
Elisha Burdick for seventeen days work copying school appraisals,	42 50
Unpaid postage bills. Secretary, Treasurer and Superintendent,	200 00
Keeping state prisoners, (estimated,)	3,500 00
Contingent expenses of office of State Superintendent, over all appropriation for, as per acc't rendered,	609 75
Silas Chapman for articles furnished State Superintendent's office, per acc't rendered,	121 75
James Campbell Joiner's work " "	119 25
200 volumes Chandler's Reports, Supreme Court,	600 00
	14,567 61

C.

ESTIMATED

Expenses and liabilities to be defrayed from the Treasury in the year 1851.

Salaries.

Governor,	$1,250
Secretary of State;	1,200
State Treasurer,	800
Attorney General,	800
State Superintendent,	1,000
Librarian,	300
Six Judges, Supreme and Circuit court, 1,500 each,	9,000
Contingent fund, Executive Department,	600
	15,950

(The above are provided for by permanent appropriations.)

Legislative.

Pay of members, officers, clerks and assistants, sixty days,	18,000
Mileage of members,	1,600
Postage of "	1,500
Newspapers for members,	1,400
Incidental printing of the two houses,	1,500
Stationery for use of legislature,	800
	24,800

Miscellaneous..

Stationery for the several State Departments,	400
Sundry publisher's bills,	200
Books for Secretary, Treasurer and Superintendent's office,	300
Postage for do. do. do.	600
Clerks for do. do. do.	2,000

Block of marble for the National Monument, (Appropriations for, in 1850.)	$300 00
Contingent expenses of the state, including repairs on capitol,	3,000
For necessary additions to state library,	2,500
Locating state lands,	500
Territorial bonds, 10 in number for 1,000 each, and 18 months interest on same, due, 20th June, 1851.	11,050
Benton & Garfield, account for stationery and Candles furnished in 1839,	842 75
Other territorial debts, estimated at,	1,000
Unpaid appropriations for 1849 and 1850, not demanded,	1,683 83
Traveling expenses of State Superintendent,	500
	24,876 08

Recapitulation.

Salaries,	15,950
Legislative,	24,890
Miscellaneous,	24,876 08
	65,626 08
Arrearages of 1850, (see statement marked B.)	14,567 61
Total amount to be defrayed from the treasury for the year 1851,	80,193 69

D.

STATEMENT

Of revenue applicable to the expenses of government the current year.

Due from counties for prior arrearages,		$14,878 05
" " Clerks of courts,		1,005 98
" " Canal land mortgages,		10,195 82
Supposed amount due from United States,		8,000
In Treasury general fund,		
Cash,	9,048 92	
Iowa county orders,	300	
		7,248 92
Tax on suits for 1851, (estimated,)		2,000
State tax of 1850, as per abstract herewith,		54,886 23
		98,215 00
Expenses to be defrayed the current year,		
For arrearages of 1850,	14,567 61	
Estimate of current year,	65,625 08	80,193 69
Excess,		18,021 31

E.

ABSTRACT

Of state taxes due from the several counties for the year 1850.

Columbia county,		$1,733 34
Calumet	"	463 99
Crawford,	"	497 78
Brown	"	2,168 83
Dane	"	2,860 39
Dodge	"	2365 86
Fond du Lac	"	3,013 12
Grant	"	3,114 63
Green	"	1,258 73
Iowa	"	1,693 51
Jefferson	"	2,150 17
Kenosha	"	2,131 91
La Fayette	"	1,869 30
Manitowoc	"	978 49
Marquette	"	1,237 88
Milwaukee,	"	4,363 73
Portage	"	309 84
Racine	"	2,412 64
Richland	"	177 95
Rock	"	4,366 94
Sheboygan	"	1,875 35
St. Croix	"	319 24
Walworth	"	3,877 07
Waukesha	"	2,747 30
Winnebago	"	1,749 40
Sauk	"	1,079 10
Washington	"	1,869 74
Marathon	" (estimated) no returns,	100
La Pointe	" " " "	100
		54,886 23

F.

ABSTRACT

Of taxes due for the year 1850, *for "Fund for Blind," from the several counties.*

Columbia county,			$57 78
Calumet	"		15 46
Crawford	"		16 59
Brown	"		72 31
Dane	"		95 35
Dodge	"		78 86
Fond du Lac	"		109 44
Grant	"		104 19
Green	"		41 96
Iowa	"		56 45
Jefferson	"		71 67
Kenosha	"		71 04
La Fayette	"		62 31
Manitowoc	"		32 61
Marquette	"		41 26
Milwaukee	"		212 12
Portage,	"		10 33
Racine	"		80 42
Richland	"		5 93
Rock	"		145 42
Sheboygan	"		62 51
St. Croix	"		10 62
Walworth	"		129 03
Waukesha	"		91 58
Winnebago	"		58 32
Sauk	"		36 57
Washington	"		62 32
Marathon	"	(estimated) no returns,	3 33
La Pointe	"	" " "	3 33
			1,830 13

G.

ABSTRACT

Of Balances due from Counties, on the 31st day of December, 1850.

Brown,	639 89
Calumet,	241 30
Crawford,	77
Dane,	804 93
Fond du Lac,	39 81
Green,	557 07
Iowa,	1,375 71
Jefferson,	35 29
La Fayette,	1,187 02
Marquette,	100 39
Milwaukee,	6,590 14
Portage,	1,102 28
Racine,	326 13
St. Croix,	197 45
Sauk,	673 71
Sheboygan,	590 69
Winnebago,	415 47
	14,878 05

H.

ABSTRACT

Of Balances due from the Clerks of the several Circuit Courts, December 31, 1850.

	County.	*Date of Last Report.*		
Edward Outhwaite,	Brown,	May 25, 1850,	$27	00
Charles Gruning,	Calumet,	Aug. 4, 1850,	1	
Heman Baldwin,	Crawford,	Aug. 12, 1850,	46	
Josiah Arnold,	Columbia,	Oct. 12, 1850,	1	
Elisha Burdick,	Dane,	Oct. 7, 1850,	73	
William H. Lander,	Dodge,	Oct. 22, 1850,	37	
Isaac Brown,	Fond du Lac,	Oct. 8, 1850,	116	98
Noah Phelps,	Green,	May 16, 1850,	33	
J. A. Hadley,	Jefferson,	Oct. 17, 1850,	61	
Sam'l G. Bugh,	Lafayette,	Nov. 21, 1850,	44	
Perry P. Smith,	Manitowoc,	July 23, 1850,	10	
F. D. Hawes,	Marquette,	July 26, 1850,	16	
Henry K. White,	Milwaukee,	July 22, 1850,	231	
George W. Mitchell, (Former clerk)	Portage,		3	
Isaiah G. Parker,	Racine,	May 19, 1850,	76	
Joseph Bowron,	St. Croix,	Oct. 23, 1850,	29	
R. P. Clement,	Sauk,	Oct. 1, 2850,	1	
W. R. Woodbury,	Sheboygan,	July 5, 1850,	30	
Wm. H. Pettel,	Walworth,	Oct. 3, 1850,	1	
Wm. S. Hascall,	Waukesha,	April 29, 1850,	20	
L. R. Baldwin,	Winnebago,	Nov. 19, 1850,	71	
Henry Merrill, (former clerk,)	Columbia,		3	
Wm. M. Dennis,	Jefferson,		19	
Ezekiel Ricker,	Manitowoc,		24	
Charles A. Reuter,	Manitowoc,		7	
Chas. R. Hollenbeck,	Rock,		20	
Daniel F. Kimball,	Rock,		5	
			1,005	98

I.

ABSTRACT

Of Mortgages received from David Merrill, late Receiver of Canal Lands.

By whom executed.	*Am't due at $1,25 per Acre.*
Wm. H. Skinner,	81 50
Joseph Pothier,	27 66
Walter Shattuck,	80
Lorin Carlton,	40
Henry Shew,	144
Edmund Sanderson,	144
Martin Delaney,	71 70
Charles H. Larkin,	144
Charles A. Haguer,	160
Howard Stansbury,	199 62
Clinton Walworth,	129 69
Harrison Reed,	160
Marshall H. Fairservice,	154 90
Martin Delaney,	80
John Hustis,	194 84
Marshall Ingersoll,	51 50
Byron S. Sanborn,	120
Joseph Webb,	160
Thos. B. Hart,	144
Charles Hart,	144
Richard Hardell,	120
Daniel Brown,	160
Harrison Reed,	165 04
Henry Skinner,	275
Benjamin A. Morey,	138 55
William Denny,	40 00
Sweet & Edgerton,	320
Major Pratt,	89
Delos Taft,	140
Wooster Harrison,	160

Chauncy Brownell,	$80	
Dudley Little,	257	02
Morgan L. Bartlett,	40	
Jonas Folts,	109	
John C. Schuyler,	72	
George Barber, (over-paid, supposed,)		
Lewis W. Rickman,	80	
Garrett Vliet,	280	
Philip C. Schuyler,	198	55
Edward Pearmain,	330	
Henry A. Clark,	80	
Wm. P. Clark,	322	37
Alfred L. Castleman,	160	
Barzilla Douglass,	80	
Richard Short,	153	34
John McClane,	160	
Charles Raymond,	153	22
Alonzo Cushing,	274	32
Russell Frisbee,	111	30
Philip C. Schuyler,	72	
John D. McDonald,	360	
Lucius J. Fisher,	240	80
Moses Fieldhouse,	160	
B. Moffat,	295	
H. J. Hildreth,	80	
D. W. Kellogg,	160	
Curtis B. Brown,	160	
Robert Braston,	293	10
John A. Messenger,	153	80
John Gatety,	80	
Seth Reed,	108	
Henry Redford,	80	
Thomas C. Homer,	80	
Lucius J. Barber,	140	40
Alonzo Campbell,	160	
Wm. C. Gates,	25	

Chester Bushnell,	144	40
Robert Masters,	300	
Joseph Webb,	52	20
Charles Leland,	80	
	10,195	82

J.

ABSTRACT

Of proposals received at this office for doing the printing for the State for the year 1851.

FIRST CLASS, OR INCIDENTAL.

C. Latham Sholes, for composition 40 cents per 1000 ems; press work per token 40 cents; paper per quire, 24x36 inches, 30 cents, 12x18 inches, 25 cents,

Robert B. Wentworth, composition 14 cents for plain, and 28 cents for rule and figure work; paper 25 cents per quire medium, foolscap 20 cents; folding per 100 sections of 8 pages, 10 cents; stitching and trimming 2 cents per copy; covering pamphlets, 2 cents per copy.

King & Fuller, composition per thousand ems, 35 cents; press work per token, 35 cents; paper, foolsap size, $3,50 per ream, medium, for reports, $5. per ream, flat cap, $4,50 per ream, folio post, $6,00 per ream.

Atwood & Buck, composition per 1000 ems, 65 cents; composition rule and figure work, $1,25 per 1000 ems; press work per token, 65 cents; paper per ream, medium size, $8; foolscap size, $6; folding 30 cents per hundred; stitching 12 cents per copy; covering pamphlets, 6 cents per copy.

Cantwell & Emmons, composition per 1000 ems, plain, 50 cents; do. rule and figure work, $1; press work per token, 50 cents: paper medium size for reports 50 cents per quire, foolscap for bills $1,00 per quire; folding per 100 sections or signatures, 25 cents; stitching and trimming per copy 10 cents.

Wyman, Davis & Co., plain composition 20 cents per 1000 ems; rule and figure work, 40 cents per do.: press work 20 cents per token; paper per quire, 25x37 inches, 25 cents do. foolscap 25 cents; folding 10 cents per 100; stitching and covering 5 cents per copy.

D. T. Dickson, composition per 1000 ems, 25 cents: paper per quire, double medium, 25 cents, medium size, 20 cents; press work 25 cents per token; folding, stitching, and trimming reports, bills and documents—10 per 100 sheets for

folding—for stitching and trimming, 10 cents per copy; paper for documents of several state departments, 50 cents per quire, double medium size; and 40 cents for medium.

Beriah Brown, composition per 1000 ems, 20 cents; paper per quire for cap, 25 cents, medium 25 cents; press work, 25 cents per token.

Lucas Seaver, composition per 1000 ems, 22 cents; press work per token $1,00; paper per quire, foolscap, 12 cents, printing 24x36 inches, 25 cents.

George Hyer, composition per 1000 ems 30 cents; press work per token 30 cents; paper at stationer's prices.

E. B. Quiner, plain composition per 1000 ems 32 cents, rule and figure work, 64 cents; press work per token 30 cents; folding per 100, 10 cents; stitching and covering per copy 6¼ cents; paper at cost.

S. H. Tayler, plain composition per 1000 ems 19¼ cents, rule and figure work 38½ cents; press work per token 20 cents; folding per 100, 9 cents; stitching and covering per copy 5½ cents; paper at cost.

SECOND CLASS—LAWS AND JOURNALS.

Robinson and Brother, composition plain per 1000 ems 49 cents, do. rule and figure work 60 cents per do.; press work per token 39 cents; paper of any size required 13 cents per lb., preparing side notes to laws 9 cents per page; index to do. $20; do. to journals $20; folding, stitching and binding laws 20 cents per copy; do. do. journal 30 cents per do.

Lucas Seaver, composition per 1000 ems 22 cents; press work per token $1,00; paper 24x36 inches, $4,00 per ream; folding, stitching and binding 6 cents per copy; preparing side notes and index to laws and journals $29.

E. B. Quiner, plain composition per 1000 ems 24½ cents, rule and figure work do. 30 cents: press work per token 24½ cents: paper at cost: folding per 100, 10 cents: stitching and covering each copy, 6¼ cents: preparing index for journals, each $20 do., and side notes for laws $20.

C. Latham Sholes, composition per 1000 ems 20 cents;

press work per token 20 cents: paper per quire 24x36 inches, 24 cents, or 12x18 at 18 cents: folding, stitching and binding per copy 12½ cents: side notes, index, &c.; both laws and journals, $30.

George Hyer, composition per 1000 ems, 29 cents: press work per token 29 cents: preparing index two journals, and side notes, for laws, $25 each: paper at market prices: folding, stitching and binding, binders' prices.

S. H. Taylor, plain composition per 1000 ems, 23 3-4 cents rule and figure work, 47 cents: press work per token 23 3-4 cents: paper at cost: preparing side notes for laws, 10 cents per page: folding, stitching and binding, binders' prices: preparing index, laws and journals each, $25.

Wyman, Davis & Co., plain composition per 1000 ems 25 cents; rule and figure work per 1000 ems, 50 cents; press work per token 25 cents; paper 25 by 37 inches, 25 cents per quire; folding, stitching and binding in pamphlet form, 30 cents per copy; preparing side notes, 25 cents per page: preparing index for whole $60.

D. T. Dickson, composition per 1000 ems, 25 cents; paper per quire, double medium 50 cents, or for medium 40 cents; press work per token, 25 cents; folding, 12 ½ cents per 100 sheets; stitching and binding per copy, 20 cents; preparing side notes, per page 15 cents; index to laws, $50. do. to journals each, $50.

Atwood & Buck, plain composition per 1000 ems, 65 cents, rule and figure work, $1,30; press work per token, 65 cents; paper, medium size per ream, $8,00. folding per hundred, 30 cents; stitching, binding and trimming paper covers, 54 cents per copy; preparing side notes, 10 cents per page; preparing index, $100 per volume

King & Fuller, plain composition per 1000 ems. 30 cents; do. rule and figure work, do. 50 cents; press work, per token 250 sheets, 30 cents; folding, stitching and binding per copy, 12½ cents; preparing side notes and index for laws

$50; do. for journals, $100: paper, medium, per ream, $5,00.

Beriah Brown, composition per 1000 ems, 25 cents; paper per quire, medium size, 20 cents; press work per token, 25 cents, folding, ten cents per 100 sheets; stitching and binding, 10 cents per copy; side notes and index for each work, $25,00.

Robert B. Wentworth, plain composition per 1000 ems, 15 cents; do. rule and figure work, 30 cents; press work per token, 20 cents; paper, per quire, medium, 25 cents: folding per 100 sections or signatures of 8 pages, 10 cents; stiching and binding in paper covers, and trimming per copy, 10 cents; preparing side notes to laws, 3 cents per page; preparing index laws and journals per volume, $20.

THIRD CLASS—BLANKS FOR THE SEVERAL STATE DEPARTMENTS,

King & Fuller, blanks per quire,				$0 75
Robert B. Wentworth,	do.	do.		1 00
Atwood & Buck,	do.	do.		3 00
D. T. Dickson,	do.	do.		1 00
Lucas Seaver	do.	do.		50
Geo. Hyer,	do.	do.		1 50
Beriah Brown,	do.	do.	including paper.	40
E. B. Quiner,	do.	do.		1 50
" "	paper at cost.			
Wyman, Davis & co., blanks per quire, (printing,)				1 90
	Paper,			30
	Both sides, 75 cents additional.			
S. H. Taylor blanks per quire,				1 37½
	Paper at cost.			

"K."

ABSTRACT

Of the Population of the State of Wisconsin, by Counties and Towns, compiled from the U. S. census of the 1st of June, 1850, on file in the office of the Secretary of State.

Counties	Towns	Pop of Towns	Pop. of Counties
Adams,			187
Brown,	Depere,	798	
	Elington	64	
	Grand Chute,	630	
	Green Bay,	1,932	
	Greenville,	104	
	Hortona,	192	
	Howard,	588	
	Kaukaulin,	689	
	Lanning,	209	
	Lawrence,	252	
	Marietta,	215	
	Pittsfield,	193	
	Sewamico,	171	
	Washington,	171	
			6,222
Calumet,			1,745
Chippewa,			615
Columbia,	Columbus,	960	
	Dekora,	661	
	Fountain Prairie,	420	
	Fort Winnebago.	462	
	Hampden	489	
	Kossuth,	394	
	Lodi,	388	
	Lowville,	297	
	Marcellon,	505	
	Otsego,	420	
	Portage Prairie,	455	
	Port Hope	603	
	Randolph,	618	
	Scott,	395	
	Springville,	471	
	West Point,	197	
	Wyocena,	506	
	Fall River Village,	126	
	Fort Winnebago,	1,180	
	Pardeeville,	90	
			9,565
Crawford,	Bad Axe,	630	
	Black River,	462	
	Prairie du Chien,	1,407	
			2,399
Dane,	Albion,	821	
	Blooming Grove,	291	
	Cottage Grove,	1,022	
	Christiana,	785	
	Dorn,	288	
	Deerfield,	630	
	Greenfield,	598	
	Madison,	1,871	
	Oregon,	638	
	Pleasant Spring,	732	
	Rutland,	759	
	Stoughton Village,	70	
	District No 37,	3,845	
	District No 111,	3,438	
			16,654

Counties.	Towns.	Pop of T'ns	Pop of C'nt's
Dodge,	Beaver Dam,	1,830	
	Burnette,	816	
	Calumus,	413	
	Chester,	829	
	Clyman,	735	
	Emmet,	1,207	
	Elba,	1,548	
	Fairfield,	1,143	
	Lebanon,	1,031	
	Leroy,	397	
	Lowell,	834	
	Lomyra,	653	
	Portland,	523	
	Shields,	590	
	Trenton,	997	
	Waushara,	856	
	Ashipun, } No returns rec'd.		
	Hermon,		
	Hubbard,		
	Hustisford,		
	Rubicon,		
	Theresa,		
	Williamstown,		
	Total, per est. of U. S. M.		19,140
Fond du Lac,	Alto,	630	
	Ashford,	546	
	Auburn,	336	
	Byron,	882	
	Calumet,	1,764	
	Ceresco,	1,337	
	Eden,	840	
	Eldorada,	504	
	Forest,	1 218	
	Fond du Lac,	2 016	
	Friendship,	415	
	Lamartine,	588	
	Metomen,	756	
	Oakfield,	588	
	Rosendale,	714	
	Springville,	588	
	Taychedah,	798	
	Waupun,	882	
			14,512
Grant,			16,169
Iowa,	Arena,	402	
	Clyde,	319	
	Dodgeville,	2,118	
	Highland,	1,185	
	Lima,	995	
	Mifflin,	640	
	Mineral Point,	2,584	
	Ridgeway,	704	
	Waldritch,	423	
	Wyoming,	206	
			9,576
Green,	Adams,	275	
	Albany,	546	
	Brooklyn,	531	
	Cady,	459	

Counties.	Towns.	Pop of T'ns.	Pop of C'nt's
	Clarion,	714	
	Decatur,	558	
	Exeter,	450	
	Jefferson,	692	
	Jordon,	389	
	Monroe,	1,146	
	Mount Pleasant,	579	
	New Glaris,	321	
	Spring Prairie,	703	
	Sylvester,	712	
	York,	191	
	Washington,	317	
			8,583
Jefferson,	Aztalan,	429	
	Concord,	705	
	Coldspring,	568	
	Farmington,	736	
	Hebron,	640	
	Ixonia,	1,113	
	Jefferson,	1,610	
	Koshkonong,	1,512	
	Lake Mills,	884	
	Milford,	728	
	Oakland,	806	
	Palmyra,	997	
	Sullivan,	872	
	Waterloo,	831	
	Watertown,	1,327	
	" Village,	1,561	
			15,339
Kenosha,	Brighton,	810	
	Bristol,	1,125	
	Kenosha, 1st ward,	1,512	
	" 2nd do.	840	
	" 3d do.	1,008	
	Paris,	947	
	Pike,	680	
	Pleasant Prairie.	959	
	Salem,	1,123	
	Southport,	363	
	Wheatland,	1,193	
			10,730
La Pointe,	La Pointe Village,	487	
	Bad Axe,	10	
	Fond du Lac,	16	
			595
La Fayette,	Argyle,	495	
	Belmont,	326	
	Benton,	2,227	
	Centre,	591	
	Elkhorn,	614	
	Fayette,	753	
	Giatiot,	494	
	Kendall,	333	
	Monticello,	168	
	New Diggins,	1,742	
	Shullsburgh,	1,672	
	Wayne,	336	
	White Oak Springs,	482	

Counties.	Towns.	Pop of T'ns.	Pop of C'nt's
	Wiota,	711	
	Willow Springs,	606	
			11,556
Manitowoc,	Cooperstown,	84	
	Centreville,	210	
	Manitowoc,	766	
	Manitowoc Rapids,	966	
	Meme,	210	
	Newton,	522	
	Two Rivers.	924	
			3,712
Marathon,	Wausau	466	
			466
Marquette,	Albany,	494	
	Buffalo,	565	
	Brooklyn,	505	
	Berlin,	1,052	
	Green Lake,	725	
	Kingston,	336	
	Mackford,	549	
	Marquette,	246	
	Middleton,	359	
	Pleasant Prairie,	536	
	Indian Lands,	2,865	
			8,642
Milwaukee,	Franklin,	1,246	
	Granville,	1,739	
	Greenfield,	1,894	
	Lake,	1,474	
	Oak Creek,	1,289	
	Milwaukee,	1,364	
	do city, 1st ward,	6,048	
	do do 2nd "	4,872	
	do do 3d "	4.142	
	do do 4th "	2,421	
	do do 5th "	2,578	
	Wauwatosa,	2,056	
			31,116
Portage,	Grand Rapids,	343	
	Plover,	462	
	Stevens Point,	462	
			1,267
Racine,	Burlington,	1,640	
	Caledonia,	1,065	
	Dover,	840	
	Norway,	870	
	Racine,	777	
	do city,	5,103	
	Raymond,	820	
	Rochester,	1,672	
	Yorkville,	997	
			14,971
Richland			963
Rock,	Avon,	588	
	Beloit,	2,730	
	Bradford,	703	
	Centre,	625	
	Clinton,	1,176	
	Fulton, e. of Rock riv.	504	
	do w. of do	324	

Counties.	Towns.	Pop of T'ns.	Pop of C'nt's
	Harmony,	840	
	Janesville, east of riv	1,487	
	do west of do	1,932	
	Johnstown,	1,571	
	La Prairie,	378	
	Lima,	839	
	Magnolia,	673	
	Milton,	1,032	
	Porter,	881	
	Plymouth,	511	
	Rock, east of river,	210	
	do west of do	343	
	Newark,	798	
	Spring Valley,	766	
	Turtle,	966	
	Union,	1,050	
			20,717
St. Croix,	Saint Croix Falls,	165	
	Osceola,	84	
	Buena Vista,	248	
	Mouth of Saint Croix,	169	
			624
Sauk,	Adams,	504	
	Baraboo Village,	252	
	do Town,	462	
	Brooklyn,	420	
	Eagle,	340	
	Flora,	252	
	Kingston,	420	
	Honey Creek,	336	
	Lyons,	84	
	Manchester,	84	
	New Buffalo,	210	
	Prairie du Sac,	168	
	do do village,	630	
	Westfield,	210	
			4,372
Sheboygan,	Abbott, }		
	Green Bush,		
	Howard,		
	Holland,		
	Lima,		
	Lynden,		
	Plymouth,		
	Scott,		
	Sheboygan,		
	Sheboygan Falls,		
	Wilson,		
			8,386
Walworth,	Bloomfield,	879	
	Darien,	1,013	
	Delavan,	1,260	
	East Troy,	1,318	
	Geneva,	1,533	
	Hudson,	1,273	
	La Fayette,	1,008	
	La Grange,	966	
	Linn,	805	
	Richmond,	756	
	Spring Prairie,	1,344	
	Sugar Creek,	1,229	

Counties.	Towns.	Pop of T'ns.	Pop of C'nt's
	Sharon,	1,169	
	Troy,	1,072	
	Walworth,	987	
	Whitewater,	1,252	
			17,866
Washington,	Addison,	1,092	
	Belgium,	1,154	
	Cedersburgh,	1,134	
	Erin,	840	
	Farmington,	504	
	Fredonia,	672	
	Grafton,	626	
	Germantown,	1,722	
	Hartford,	1,008	
	Jackson,	1,038	
	Mequon,	2,148	
	North Bend,	672	
	Polk,	1,344	
	Port Washington,	1,373	
	Richfield,	869	
	Saukville,	1,796	
	Wayne,	714	
West Bend,		672	
			19,476
Waukesha,	Brookfield,	1,939	
	Delafield,	1,134	
	Eagle,	816	
	Genesee,	1,290	
	Lisbon,	1,050	
	Menominee,	1,340	
	Merton,	1,763	
	Mukwonago,	1,094	
	Muskego,	1,111	
	New Berlin,	1,293	
	Oconomowoc,	1,218	
	Ottowa,	793	
	Pewaukee,	1,093	
	Summit,	1,008	
	Vernon,	889	
	Waukesha,	2,314	
			19,324
Winnebago,	Algoma,	702	
	Bloomingdale,	909	
	Clayton,	402	
	Neenah,	1,520	
	Nekima,	910	
	Nepesakin,	361	
	Rushford,	514	
	Utica,	630	
	Vinland,	756	
	Winnebago,	1,627	
	Winneconna,	1,948	
			19,179
Grand Total,			305,528

ABSTRACT

OF CENSUS RETURNS FOR THE STATE OF WISCONSIN, JUNE 1ST, 1850.

Name of County,	Pop	Deaths	Farms	Pro Est.	Dwel'gs
Manitowoc,	3,702	27	37	22	716
Rock,	20,759	196	1,975	126	3,631
Milwaukee,	31,117	654	1,189	236	5,628
Walworth,	17,864	204	1,960	82	3,092
Jefferson,	15,323	173	1,042	74	2,933
Sheboygan,	8,386	35	581	30	1,790
Grant,	16,169	215	707	78	2,861
La Pointe,	489	4	5	1	74
Portage & Marathon,	1,758	24	13	30	280
Winnebago,	10,167	95	347	32	1,903
Waukesha,	19,344	261	1,743	78	3,409
St. Croix,	624	9	4	2	181
Dane,	16,654	136	1,505	87	3,210
Green,	8,566	82	835	46	1,487
Brown,	6,215	40	267	23	1,005
Sauk & Adams,	4,555	22	302	7	881
Washington,	19,485	108	1,636	21	3,776
Kenosha,	10,734	120	927	51	1,812
Dodge,	19,130	151	2,338	30	3,561
Crawford & Chippewa,	3,113	6	81	14	665
Iowa,	9,532	98	507	24	1,846
Fond du Lac,	14,512	35	1,073	16	2,722
Racine,	14,971	154	947	99	2,578
Marquette,	8,642	38	337	9	1,747
Calumet,	1,745	24	243	5	381
La Fayette,	11,532	107	399	21	2,079
Columbia,	9,565	81	988	25	1,855
Richland,	903	10	76	4	178
Total,	305,566	3099	22,034	1273	56,281

ANNUAL REPORT,

OF THE

STATE TREASURER

OF WISCONSIN.

STATE TREASURER'S OFFICE,
STATE OF WISCONSIN, MADISON, January 6, 1851.

To his Excellency NELSON DEWEY,

Governor of the State of Wisconsin:

The State Treasurer, pursuant to Statute, respectfully presents the following Annual Report, for the fiscal year ending on the 31st day of December, 1850.

J. C. FAIRCHILD, *State Treasurer.*

REPORT.

RECEIVED INTO THE STATE TREASURY ON ACCOUNT OF THE

GENERAL FUND.

1850.				$ Cts.
January	1	Cash on hand,		10 43
do	8	Of Grant	County	1,400 54
do	9	Walalworth	do	443 00
do	9	Rock	do	2,140 00
do	9	Racine	do	259 00
do	12	Crawford	do	502 67
do	14	Milwaukee	do	351 50
do	14	Dodge	do	96 60
do	14	Rock	do	1,000 28
do	18	Milwaukee	do	3,117 41
do	18	Green	do	152 50
do	21	Dane	do	200 00
do	23	Crawford	do	176 00
do	25	Iowa	do	50 25
do	25	Dane	do	400 00
do	26	Iowa	do	420 00
do	30	Rock	do	375 00
do	30	Milwaukee	do	375 00
do	30	Dane	do	342 00
do	30	Dane	do	247 50
February	1	Rock	do	5,108 32
do	2	Walworth	do	6,601 78
do	2	Iowa	do	67 25
			Carried forward,	23,837 03

		Amount received brought forward	$23,837 03
February	4	Fond du Lac do	600 00
do	4	Fond du Lac do	4,573 00
do	4	Columbia do	2,627 14
do	4	Grant do	5,380 60
do	4	Dodge do	4,805 05
do	4	Washington County	4,158 73
do	6	Walworth do	700 00
do	6	Michigan and Erie Telegraph Line	11 00
do	6	Marquette county	13 66
do	6	Marquette do	1,801 13
do	7	Jefferson do	3,279 89
do	7	Milwaukee, Galena and Chicago Telegraph Line	30 00
do	7	Dane county	1,523 18
do	7	Sauk do	1,512 80
do	9	Winnebago do	2,160 80
do	9	Brown do	525 51
do	9	Dane do	436 85
do	9	Waukesha do	5,252 64
do	9	Brown do	3.039 79
do	9	Racine do	7,913 17
do	11	Sheboygan do	2,605 92
do	11	Calumet do	102 83
do	11	Calumet do	550 24
do	11	Greene do	100 51
do	11	Greene do	1,663 13
do	11	La Fayette do	4,147 10
do	11	Greene do	34 66
do	12	Racine do	426 14
do	15	Iowa do	2,327 90
do	15	Dane do	1,519 48
do	20	Greene do	601 09
do	21	Crawford do	285 90
		Carried forward,	88,238 96

		Amount received brought forward	
February	25	Manitowoc do	929 10
March	7	Geeene do	100 00
April	2	Dane do	32 44
do	2	Beriah Brown error in overdrawn order	10 00
do	9	Jefferson county	533 56
do	12	Clerk of the Court Fond du Lac county	25 02
May	2	Manitowoc county	763 91
do	31	Calumet do	645 93
June	11	Lafayette do	353 87
Septem'r	8	Iowa do	600 00
October	2	Received of Danforth Parmelee on canal land mortgage	167 52
Decem'r	13	Milwaukee county	1,500 00
			93,900 31
		Amount paid out	86,951 39
do	31	Balance General Fund on hand	6,948 92
do	31	Iowa County orders on hand	300 00
			$7,248 92

PAID OUT OF THE GENERAL FUND, AS FOLLOWS:

1850.

January	8	To J. R. Vinyard,	$82 50
do	9	C. M. Baker,	266 00
do	8	Jas. Simmons,	177 00
do	9	Riley N. Messinger,	155 00
do	9	Jas. Halpin,	107 50
do	9	Dean & Co.,	137 62
do	9	Thos M'Hugh,	300 00
do	9	Chas. A. Larabee,	334 00
do	9	Alexander W. Stow,	375 00
do	9	Edward V. Whiton,	692 00
do	9	Levi Hubbell,	364 00
do	9	Mortimer M. Jackson,	613 00
do	9	Samuel F. Nichols,	11 00
do	9	Gov. Nelson Dewey,	450 00
do	10	Delaney & Wright,	5 00
do	10	M. Frank,	259 00
od	10	M. Frank	30 00
do	12	Postage State Superintendent,	152 00
do	12	J. C. Fairchild, salary 1849,	200 58
do	12	Postage state sup't. at Waukesha,	17 58
do	14	R. B. Rice, order no. 425,	215 00
do	14	R. B. Rice, do 358,	136 50
do	14	Wm. M. Dennis,	70 00
do	14	J. D. Ruggles,	91 50
do	14	J. D. Ruggles,	12 00
do	14	Elisha Burdick,	6 00
do	14	Elisha Burdick,	54 09
do	14	Ira W. Hall,	15 00
do	14	D. Noble Johnson,	8 00
do	14	A. W. Campbell,	24 36
do	14	H. C. Parker,	110 00
do	14	J. Gillett Knapp,	144 00
		Carried forward,	5,515 14

		Amount brought forward	5,515 14
January	15	R. L. Ream,	5 00
do	16	Cooley & Cowdery,	4 00
do	16	Chas. Kuehn,	70 00
do	16	Thos. McHugh,	300 00
do	16	John Delaney,	82 50
do	16	J. D. Reymert,	50 00
do	16	Samuel Pratt,	82 50
do	16	Samuel H. Royce,	82 50
do	16	Darwin Clark,	3 00
do	16	David T. Dickson,	8 50
do	16	S. H. Thorpe,	82 50
do	16	Jedediah Brown bal. on order no 225	52 04
do	16	Smith & Treadway,	140 83
"		Beriah Brown,	21 75
"		George M. Oakley,	100 00
"		La Fayette Kellogg,	18 00
"		R. L. Ream,	157 00
"		Warren Chase,	82 50
"		J. Daugherty,	82 50
"		W. M. Larrabee,	24 00
"		D. Noble Johnson,	5 00
"		D. Noble Johnson,	30 00
"		D. Noble Johnson,	128 00
"		M. Morganshine,	82 58
"		Otis Colwell,	82 50
"		Davis Gilliland,	82 50
"		John W. Boyd,	82 50
"		George Hyer,	29 70
"		Cramer & Curtiss,	54 25
"		Alden & Holt,	9 30
"		Tenney, Smith & Holt,	491 04
"		Hiram Barbour,	152 50
"		William S. Butler,	10 35
		Carried forward,	9,028 24

	Brought forward,	9,028 24
January 17,	To V. M. Willard,	20 00
"	Marshall Ten. Eyck,	82 50
"	Holton & Goodall,	50 00
"	David P. Mapes,	19 00
"	J. C. Crawford,	152 50
"	J. G. Knapp,	8 00
"	George W. Lakin,	70 00
"	James S. Brown, (salary 1849,)	800 00
23	J. Gillett Knapp,	98 97
"	Joel S. Fisk,	17 25
25	Albert M. Parris,	50 25
"	Lyman H. Seaver,	10 00
26	Mortimer M. Jackson,	375 00
"	Peter Burns,	420 00
30	Levi Hubbell,	375 00
"	Edward V. Whiton,	375 00
"	Mortimer M. Jackson,	342 00
"	E. J. Hazard,	82 50
"	Albert Alden,	82 50
"	J. Kimball,	82 50
February 1	S. B. Sibley,	82 50
"	J. G. McBride,	100 00
"	E. F. Hertsburgh,	85 00
"	E. H. Rudd,	100 00
"	G. W. Boardman,	166 00
2	Charles M. Baker,	104 44
"	Samuel Pratt,	70 00
"	John W. Boyd,	70 00
"	J. A. Hadley,	30 00
"	James Morrison, Postage,	42 91
"	Samuel D. Hastings,	70 00
"	E. R. Utter,	46 75
"	C. M. Baker,	12 23
	Carried forward,	13,521 56

"	Charles M. Baker,	138 00
"	James Simmons,	92 00
"	William C. Allen,	150 00
"	J. Daugherty,	155 00
"	E. D. Hall	155 00
"	E. R. Utter,	23 00
"	J. R. Brigham,	52 25
"	John Delany,	70 00
"	P. W. Matts,	77 50
"	John Catlin,	5 00
"	Alexander Botkin,	82 00
"	David Holt,	77 86
"	William R. Smith,	37 50
"	Samuel R. Kailer,	29 75
"	Albert Alden,	70 00
"	Darwin Clark,	36 00
"	Darwin Clerk,	40 00
"	James Simmons,	51 00
"	N. F. Hyer,	6 00
"	Aaron V. Fryer,	116 00
"	Geo. P. Delaplaine, Librarian,	275 00
"	Wm. R. Smith, salary,	137 50
"	Wm. R. Smith, order no. 303,	50 00
"	George W. Lakin,	82 50
"	E. F. Hertzbergh,	18 00
4	James Halpin,	85 00
"	William Hull,	115 00
"	Delando Pratt,	155 00
"	T. & I. W. Johnson, Law Reports,	47 50
5	H. Merrill, bal. on order no 211,	67 24
"	Charles H. Larabee, Salary,	334 00
"	A. W. Stow, Salary,	375 00
"	Seymour & Varney,	22 62
"	John T. Wilson,	20 00
"	Wm. A. Barstow, salary	300 00
"	J. T. Clark,	12 00

"	James Giddings,	84 00
"	David T. Dickson, state printer,	2618 96
6	R. W. Lansing,	12 00
7	E. L. Brayman,	8 18
"	James Fagan,	152 50
"	Peter Cavenaugh,	36 25
"	J. A. Bingham,	5 00
"	G. H. Slaughter,	72 00
"	85 members of the legislature, each $85 00	7,225 00
"	Moses M. Strong, Speaker	85 00
"	85 members mileage,	1,562 40
"	Gov. Nelson Dewey salary 1849	937 50
"	Gov. Nelson Dewey, "	312 50
"	J. P. Greeves	8 00
"	H. W. Reed	50 00
"	J. M. Lapham	81 00
"	A. T. Gray, chief clerk	170 00
"	L. T. Rice	210 00
"	E. R. Hugunin, sergt-at-arms	255 00
"	E. R. Hugunin "	85 00
"	James Hanrahan "	85 00
"	James Hanrahan "	255 00
7	S. W. Beall, Lieut Governor	170 00
"	Wm. Hull, clerk assembly	556 00
"	Wm. R. Smith, clerk senate	170 00
"	Wm. R. Smith, " "	362 00
"	Jas. R. Vinyard, app. 1849	155 00
"	Geo. P. Delaplaine, Librarian	75 00
"	Geo. G. King, bal. on app. 1849	35 00
8	Alexander Mitchell,	145 00
9	Shields & Sneden,	37 97
11	Bunner & Stafford,	37
"	Racine county,	426 14
"	Jerome Yates,	39
"	F. F. Davis,	171 62

"	Samuel Ryan, jr.,	4 00
"	C. Clement,	4 50
"	S. H. Taylor,	13 75
"	D. N. Johnson, order no. 195,	50 00
"	Ransom Rice, " " 357,	415 34
"	Ransom Rice,	243 00
"	S. M. Booth,	12 00
"	Fratney & Hertzbergh,	45 55
"	Delany & Wright,	5 50
"	Wyram Knowlton,	1250 00
"	Robert L. Ream,	5 00
"	Robert L. Ream,	348 00
"	William Hull clerk assembly	30 00
"	William Hull,	50 00
"	Elisha Burdick,	300 26
"	Waukesha county	138 13
"	George Hyer,	23 44
"	Seaver & Hurley,	26 00
"	Atwood & Buck,	13 50
"	Robinson & Bro.,	27 50
"	Charles Dunn, Jr.,	90 00
"	Fratney, Hertzberg & Shoeffler,	1,000 00
"	S. Park Coon, salary,	200 00
"	S. Park Coon, contingent fund,	150 00
"	J. D. Reymert,	750 00
"	C. Latham Sholes, statutes,	6120 00
"	Lyman Chapin,	70 00
9	Joel Rathbone,	70 00
"	Joel Rathbone,	140 00
"	M. L. Ayres,	82 50
"	J. F. Jones,	46 75
"	Philo White,	155 00
"	William Henry,	8 00
"	James Hutchinson,	47 45
"	Beriah Brown,	440 00
"	Simeon Mills,	41 72

February 9	E. Root, state sup't. 1849	250	00
"	E. Root, " 1850	250	00
"	E. Root, " 1849	477	37
"	E. Root, " contingent	150	00
"	E. Root, " 1849	414	75
"	David B. Travis,	244	88
"	Wm. R. Smith, chief clerk senate	50	00
"	John A. Brown,	28	25
"	John A. Brown,	15	84
"	Beriah Brown,	284	98
"	Rood & Whittemore,	402	05
"	Peter W. Matts,	102	50
"	Rev. Charles Lord, appropriations,	100	00
"	D, N. Johnson,	51	
"	Tenney, Smith & Holt,	193	50
"	David T. Dickson,	3960	98
"	Robert M. Briggs,	82	50
"	Ephraim F. Ogden,	150	
"	Robert M. Briggs, bill on app'r,	40	
"	J. &. W. H. Carey,	86	43
February 11,	Allen W. Hatch,	28	95
"	Cramer & Cur iss,	50	
"	Alexander Mitchell,	165	
"	King & Fuller,	45	
"	Martin V. Burris,	274	40
"	Atwood & Buck,	199	
"	Alfred Johnson,	50	
"	A. G. & J. Ladue,	7	50
"	J. R. Brigham,	18	50
"	John Williams, Jr.,	50	
"	Bird & Mills,	9	50
"	James Morrison,	1075	85
"	James Morrison,	30	
"	Charles Rickerson,	82	50
"	Charles Rickerson, bal. on appr'	60	
"	Wm. R. Smith, ord. No. 285,	57	

February 11	David Holt, Jr.,			191	09
"	Mathew Wood,			64	
February 14,	William R. Smith, ord,	No.	368	75	
"	William Doughty,	"	397	859	25
"	J. A. Hadley,			20	
February 16,	Atwood & Buck, ord.	No.	385	645	75
"	H. G. Bliss,	"	387	21	03
"	Timothy Robertson,	"	363	52	
"	Alexander T. Gray	"	333	8	
"	William Hull,	"	304	50	
"	King & Fuller,	"	356	40	
"	J. D. Reymert,	"	308	40	
"	Thomas McHugh,	"	384	20	
"	S. M. Booth,	"	354	97	50
"	J. D. Reymert,	"	309	33	
"	Lyman Cowdery,	"	293	124	
"	P. V. Bovee,	"	286	166	
"	Beriah Brown,	"	321	456	90
"	M. Frank,	"	307	138	
"	A. T. Gray,	"	332	144	50
"	David T. Dickson,	"	381	1303	51
"	E. Root,	"	427	250	
"	Levi Hubbell,	"	411	375	
"	A. W. Stow,	"	408	375	
"	A. W. Stow,	"	423	375	
"	Charles H. Larrabee,	"	428	375	
"	Charles H. Larrabee,	"	409	375	
"	Harrison C. Hobart,	"	282	82	50
"	Harrison C. Hobart'	"	283	207	50
"	Joseph Bouron,			58	
"	Parker Warren,			82	50
"	William H. Thomas,			82	50
"	Thomas Sugden,			82	50
"	James Fisher,			82	50
"	Lemuel Goodell,			82	50
"	Samuel D. Hastings,			82	50

February 16	D. H. Rockwell,	$2	50
"	Wm. Dennis,	$2	50
"	J. D. Reymart,	$2	50
"	Joseph Kerr,	$2	50
"	George G. King,	$2	50
"	D. M. Parkinson,	$2	50
"	John M. Wells,	$2	50
"	James O'Niel,	$2	50
"	Satterlee Clark, Jr.,	$2	50
"	C. Leland,	$2	50
"	C. M. Phelps,	$2	50
"	J. S. Delano,	$2	50
"	F. A. Sprague	$2	50
"	James B. Cross,	$2	50
"	Patrick Toland,	$2	50
"	Charles Kuehn,	$2	50
"	Z. A. Cotton,	$2	50
"	Peter Turck,	$2	50
"	F. W. Horne,	$2	50
"	Robert Wasson,	$2	50
"	F. A. Sprague,	70	
"	M. M. Cothern,	70	
"	Jedediah Kimball,	70	
"	Enoch Chase,	70	
"	Thomas Sugden,	70	
"	Warren Chase,	70	
"	Patrick Toland,	70	
"	Samuel H. Royce, bal. on app'r,	35	
"	Samuel Noyes,	$2	50
"	Wm. A. Barstow, contingent fund,	300	
February, 18	E. B. Dean,	570	
February 21,	R. W. Lansing,	12	
"	B. H. Campbell,	260	33
February 25,	Rev. John Penman,	50	
March 5,	Hale & Chapman,	8	50
"	H. H. Farnsworth,	13	

March 5	George W. Green,	50	
"	Charles S. Jordan,	54	
"	Ira W. Bird,	152	50
"	Solon Johnson,	82	50
"	E. Root, State Sup't contingent,	150	
9	J. &. W. H. Cary,	26	14
11	Rev. Edward Smith,	50	
12	Thomas Dunn,	3	50
23	E. Root, contingent,	193	
28	Joseph Atherton, order 395	231	
30	E. Root, salary,	250	
"	S. Park Coon, salary,	200	
"	S. Park Coon, contingent,	150	
"	J. C. Fairchild, half year's salary.	400	
"	J. C. Fairchild half contingent fund,	300	
"	J. C. Fairchild, postage	15	95
"	J. C. Fairchild, app'r to build vault,	1000	
"	Wm. A. Barstow, salary,	300	
"	Gov. Nelson Dewey, to pay sundry persons,	3766	93
"	Gov. Nelson Dewey, con'g't fund,	300	
"	Gov. Nelson Dewey,	200	
"	Charles H, Larrabee, salary,	359	
April 2,	Gideon Chapin,	12	50
"	George P. Delaplaine, librarian,	75	
9	Edward V. Whiton, salary,	375	
"	Alden &. Holt,	12	25
12	Levi Hubbel, salary,	375	
15,	E. Root, state superintendent,	50	
19,	Benjamin S. Henning,	15	
20,	A. W. Stow, salary,	375	
May 6,	Post Master, Waukesha, for State Superintendent postage,	8	42
20,	E. R. Utter,	16	80
"	Jackson Richardson,	226	50
22,	Gov. Nelson Dewey, contingent,	300	

May 22	Gov. Nelson Dewey, salary,	312	
"	L. O. Shrader,	14	66
"	J. R. Rickey,	2	50
"	Gov. Nelson Dewey, contingent,	500	00
"	E. Root,	24	94
July 1,	E. Root,	230	
"	Gov. Nelson Dewey, salary,	312	50
"	Gov. Nelson Dewey, contingent,	1500	
"	George W. Bliss,	5	
"	James Morrison, postage, State Superintendent,	64	55
"	Charles H. Larrabee, salary,	283	
"	H. A. Tenney, order no. 380	336	
"	S. Park Coon, salary	200	
"	S. Park Coon, contingent,	150	
"	William A. Barstow, contingent,	150	
"	Levi Hubbel, salary,	288	
"	Mortimer M. Jackson, salary,	150	
"	Mortimer M. Jackson, salary	353	
"	Edward V. Whiton, salary,	152	
"	Alexander W. Stow,	375	
"	James W. Seaton,	15	
"	William A. Barstow, salary,	300	
"	J. C. Fairchild, salary,	200	
"	J. C. Fairchild, contingent,	150	
8,	William A. Barstow, contingent,	100	
"	Gov. Nelson Dewey, contingent,	300	
"	George P. Delaplaine, librarian,	75	
19,	E. Root, salary,	150	
"	E. Root, salary,	52	82
Srptember 5,	Gov. Nelson Dewey, contingent,	200	
October 1,	Charles H. Larrabee, salary,	875	
"	S. Park Coon, salary,	200	
"	S. Park Coon, contingent,	150	
"	William A. Barstow, salary,	300	
"	Richard Hardell,	20	

"	E. Root, for maps,	$100 00
"	E. Root, for books,	50
"	Gov. Nelson Dewey, salary,	312 50
"	George P. Delaplaine, salary,	75
"	Gov. Nelson Dewey, contingent,	300
"	Levi Hubbel, salary,	51
"	James Morrison, postage for state superintendent,	9 63
"	Peter W. Matts,	37 56
"	James Morrison, postage for state superintendent,	144 39
"	Densmore & Cooley,	6 00
"	Alexander W, Stow, salary,	375
"	Edward V. Whiton,	375
"	J. C. Fairchild, salary,	200
"	J. C. Fairchild, contingent,	150
"	William A. Barstow, salary,	50
"	E. Root, bal. salary & contingent,	99 24
Nov. 22,	James Morrison, state Superintendent postage,	43 94
"	James Morrison, State Superintendent, postage,	64 54
"	David Holt, Jr., stationery, State Superintendent,	30 50
Dec. 17,	M. M, Jackson, salary,	517 00
		$86,951 39

RECEIVED INTO THE STATE TREASURY ON ACCOUNT OF THE

SCHOOL FUND.

1850.					
January	1,		Cash on hand,		$ 150 66
February	2,		Rec'd of Walworth Co., Tr. fines and forfeitures.		39 20
do.	7,		Rec'd of Washington co., tr., fines and forfeitures,		9 80
do.	9,		Rec'd of Waukesha co., tr. fines and and forfeitures.		4 90
do.	11,		Rec'd of Green co., tr. f'n's & f'tures,		22 86
do.	12,	"	Rock, do. do.		19 60
do.	14,	"	United States, 5 per cent, on land sales for 1848,		10,513 29
April	9,	"	Jefferson co., tr., fines and forfeitures,		36 26
May	2,	"	Manitowoc co., tr.,fines &c		10 47
August	28,	"	United States, 5 per cent, on land sales for 1849,		12,024 27
May	15,	"	John Shaver, f'tures on bids,		25
do.	do.	"	John Stubs, do		25
do.	50,	"	William H. Thomaaas, do		50
do.	do.	"	William P. Wattles, do		50
July		"	J. Hubbard, do		25
August		"	F. Johnstone, do		25
			Rec'd on sales made in Racine co., 1849,		7,169 66
			Rec'd on sales made, 1850,		57,250 14
					$87,451 11

PAID OUT.

1850.			
	On loans	$79,691 20	
	To counties for subdivide and appraise school lands,	2,466 46	82,157 66
	Balance on hand		$ 5,293 45

For the names of persons of whom money has been received and to whom loaned, see commissioner's report.

	Amount school fund income on hand,	$588
	Paid out on apportionment,	394 81
Dec. 31,	Balance apportioned school fund on hand,	$193 19

1850. *Amount of School Fund Income, received, and disbursed as follows, to wit:*

	Rec'd of Geo. W. Bunce, rent on land,	$ 10 00
	" Wisconsin University, interest, on loan,	735 93
	" George W. Bunce, rent on land,	10
	" Wisconsin University, interest on loan,	841 69
	Rec'd on sales of land and loans of money,	21,927 76
		$23,525 38
	Paid out for expenses of conducting sales of land on accounts audited by the commissioners.	1,795 66
	Balance school fund on hand,	$21,729 72

The names of persons paying in the above amount will be found in the report of the commissioners, as also of those to whom payments have been made.

1850. *Amount of University Fund.*

"	Received on sales of land in 1850,		1,623 28
"	Amount disbursed, as follows		
"	Paid out on loans,	$1,170	
"	Paid out on appraisal,	16 40	1,186 40

Balance University fund on hand,

1850.	Amount of University Income fund received on sales of land for 1850,	359 77
	Received on money loaned for 1850.	81 90
		$441 67

J. C. FAIRCHILD, TREASURER, IN ACCOUNT WITH THE STATE OF WISCONSIN:

Amount of receipts from December 31, 1849; to December 31st. 1850.	$93,900 31	
Amount disbursed in 1850,	86,951 39	
		$7,248 92
Amount school fund in 1850,	87.451 11	
Amount disbursed some period,	82,157 66	
		5,293 45
Amount school fund income,	23,525 38	
Amount disbursed,	1,795 66	
		21,729 72
Amount school fund income appropriated in 1850,	588 00	
Amount disbursed same period,	394 81	
		193 19
Amount University fund in 1850,	1,623 28	
Amount disbursed same period,	1,186 40	
		436 83
Amount University fund income in 1850,	441 67	
		441 67
Total balance on hand, January 1st, 1851.		35,343 83

All which is respectfully submitted,

J, C. FAIRCHILD,
State Treasurer.

ANNUAL REPORT,

OF THE

STATE SUPERINTENDENT

OF PUBLIC INSTRUCTION.

OFFICE OF PUBLIC INSTRUCTION,
MADISON, WIS., JANUARY 6, 1851.

To his Excellency NELSON DEWEY,

Governor of the State of Wisconsin:

SIR:—

In compliance with act of Legislature, approved January 24th, 1850, I have the honor herewith to transmit my annual report.

Very respectfully,

Your ob't. serv't.,

E. ROOT,

State Sup't.

OFFICE OF PUBLIC INSTRUCTION,
MADISON, January 6, 1851.

To the Legislature :

In compliance with provisions of law, the undersigned State Superintendent of Public Instruction, has the honor to submit this, his

SECOND ANNUAL REPORT.

In commenting upon the abstract appended to the report made by me to the last legislature, I had occasion to advert to the great discrepancies and palpable errors perceptible in the reports from the clerks of the county boards of supervisors.— These were, as I then said, excusable, because they were the unavoidable consequences of the changes introduced by the new law, and I had every reason to believe that the next reports would be much more complete and consistent. In this I have not been disappointed; and though the present returns still show great room for improvement, they also show an admirable growth in the number and prosperity of our schools in many important respects.

The proportion which the non-reporting towns, districts and parts of districts bear to the whole number of each respectively, is diminished. The average number of months schools have been taught has increased nearly twenty seven per cent.

The number of children attending school is nearly doubled; and the amount of public money received nearly quadrupled. Indeed, almost every point embraced in the returns exhibits a corresponding advance.

Errors, however, do appear, especially in the columns appropriated to the monetary matters, which become quite conspicuous when collected in the sums total for the State. These are owing either to the omission of district clerks to report un-

der all the heads, called for by the notes to the school law, or to some misunderstanding of the captions of the columns—perhaps frequently to both.

I can see but one way of correcting these sources of error, and that is, by authorizing this Department to prepare and distribute the necessary blank forms, with proper instructions, for the use of the reporting officers, and to require copies of the reports of the town superintendents to be made directly to this office. Means then would be furnished, for detecting any error that might be discovered. The only way in which a correction can now be made is, by a careful analysis of the returns, when massed together and presented in the abstract.—(See Appendix A.) The results of such an analysis are given below:

Two organized counties, Lapointe and Marathon have made no reports. The remaining twenty seven comprise 339 towns, of which 24 do not report. Marathon and La Pointe counties are not considered in the following calculations because it is known that they cannot by any possibility, under any head attain to the general averages, and would therefore have an undue influence in the general result.

The 315 towns which report, contain 1700 districts and 650 parts of districts. 405 of the former, and 114 of the latter not reporting,

This gives an average per town, of 5,397 districts and 2,063 parts of districts, making the probable total number in the state 1829 of the former and 699 of the latter, of which 534 districts and 173 parts do not report.

It is not possible from the manner in which reports are required by law to be made from joint districts, to ascertain accutately the whole number of districts, in the State. Some of the joint districts are formed of parts of three, and even of four towns, each of which parts is separately reported to a different town superintendent. I think however, 2160 cannot be far from the true number.

The whole number of children between four and twenty

years of age stated as attending school is 61,597; last year this was reported at 32,174. By correcting as was done last year for the 34 towns not reporting, we obtain 68,241 for the number of children attending school. The number so found for 1849, was 46,136.

The whole number of children between four and twenty residing in the State is reported at 92,047. Corrected for 25 non-reporting towns it stands 99,375. Last year the number reported was 70,457, and when corrected 86,442.

The number of children attending school is 67 per cent. of the whole number in the state. It was last year 46 per cent. The per centages for the different counties are as follows :

Walworth	91	Dodge	68
Marquette	82	Dane	67
Portage	81	Grant	66
Green	79	Lafayette	65
Rock	79	Sauk	64
Waukesha	79	Iowa	63
Fond du Lac	78	St. Croix	63
Kenosha	78	Washington	56
Racine	77	Manitowoc	53
Columbia	74	Crawford	37
Calumet	73	Brown	32
Winnebago	73	Milwaukee	25
Jefferson	72	Richland	22
Sheboygan	70		

The highest per cent. in 1849, was 75, so that it will be seen that a long stride has been made in this particular.

These numbers have been exclusively deduced from the numbers of children between four and twenty years of age.

The number of children under four attending school, is 1020; over twenty, 688. The whole number reported attending school is, therefore, 63,305.

The average length of time for the state, that schools have

been taught. is 496 months; being 103 months longer than for the last year. The longest time is 7 months in Manitowoc County, the shortest 178 months in Richland county.

The average length of time scholars of the legal age have attended school, is reported at 431 months. It is necessary, under this head, to reject the reports of some of the counties; they showing here a greater time than they report under "average length of time schools have been taught," a thing impossible. This reduces the average to 409 months.

The average length of time schools have been taught by male teachers, is reported to be 280 months, and by females 369 months. For the reasons given in the last report, it is necessary to reject the statement of Washington county, which reduces the average to 279 months for males and 367 months for females.

The average amount of wages paid to male teachers, is $17,14; to female teachers $9,02 This is a decided advance on the report of last year, the average then being 15,22 and 6,92 respectively. The improvement, ais ndicated by a comparison of the wages of the last two years, is 13 per cent. for the male, and 30 per cent. for the female teachers, showing the advance to be where most effective.

The highest monthly wages paid to male teachers is $60, in the city of Kenosha; to female teachers $20, in the city of Kenosha, and at Stephen's Point, in Portage county.

The lowest wages paid to male teachers, is $7,50, in the town of Hortonia, Brown county; to female teachers 2,00 in the town of Bristol, Kenosha county, and in the town of Lima, Sheboygan county.

The time lost by tardiness is reported at 14,816 days and by absence 239,162 days; total 244,978 days. The 175 towns which report under this head, show an attendance of 11.212 scholass, giving an average of time lost to each scholar, of 6,924 days, and to the whole 63,305 scholars, of 876,205 days, or 12, 543 months.

Great as this waste of time appears, it is yet far from the

truth as may be easily shown. The average number of months schools have been taught is, as above stated, 4.96 months, while the average number of months children have attended school—that is, the average time each child has attended school is 4.09 months. The difference ,0,87 months, is the *average time lost by each scholar*, amounting. in the aggregate, to no less than, 55,075 months. But this is not all, It is only the time lost by those attending school. Of the 92,047 children between four and twenty, reported in the state, only 61, 97 attend the public schools. Of the remainder, 3.558 attend private and corporate schools, leaving 26,892 children, who lose 4,96 months of school instruction in the year, or 133,384 months, making altogether a total of 188,459 months—15,705 years; a waste of time not very pleasant to contemplate.

The whole valuation of school houses is $173,247 67 in 227 towns—112 not reporting this item. This gives an average per town of $772 01, and for the whole 339 towns, $261,771 73. Confining ourselves to the reported numbers, the valuation of school houses, this year, is greater than that of last year, by $97,435 92, owing partly to fuller reports, and partly to new buildings. The sum raised by tax, and expended in building, hiring, &c., school houses is represented to be $47,171 51, somewhat less than the entire state tax.

The whole number of school houses reported, is 1,223, viz: 38 built of brick, 51 of stone, 540 framed, 568 built of logs, and 26 reported from Marquette county, but not classified.—These are reported by 263 towns, which gives an average of between 4 and 5 school houses to each town, making 1,576 in the state, which is 584 less than the estimated number of school districts. The difference was last year 673, showing a small improvement.

The highest valuations of school houses, are found to be $5-000, in the cities of Milwaukee and Kenosha. The lowest is in the town of Spring Valley, and is (jocularly ?) estimated at *five cents*. The number of school house sites, reported as containing less than one acre is. 1,025 ; the number uninclosed

1,047 ; without separate privies for the different sexes, 1002 ; the number of school houses without blackboards, 595 ; the number without maps, 969.

There are 87 unincorporated, and private schools and academies, with an average attendance of 39 pupils, of 3,408 in all, and two incorporated academies, with an average attendance of 75 pupils, or 150 in all, making 3,558 children, who have been taught, independently of public schools during the past year.

Among a great variety of school books, reported as having been used during the past year, those which appear to have been most generally used are Brown's Grammar, Adams' Arithmetic, Sander's Readers, Webster's Spelling Book and Morse's Geography.

The number of different school books is as follows : of Grammars 12 ; of Arithmetics, 13 ; of Reading Books, 10 ; of Spelling Books, 7 ; and of Geographies 6.

Below, I present a schedule of the receipts and expenditures of money, as reported, with errors. A glance at this, is sufficient to show the importance of this branch of the reports, as well as the grave magnitude of the errors.

Further than this, I will propose no argument as to the propriety of furnishing blanks to the school officers for their reports, believing that an error of seventy-three thousand dollars, will speak with sufficient emphasis.

This error, though not so serious as might be expected, the deficit appearing in the receipts and not in the expenditures, is sufficient to render the reports on the subject unworthy of credit.

The whole amount of money expended during the year, appears to be $142,017 96, which is nearly $2 26 per scholar, and $1 55 per child.

The amount expended for teacher's wages is reported to be $87,710 14, being $1 39 nearly per scholar, and $0 95 per child. Now this $87,710 14 was expended in teaching 63,305 scholars, for an average term of 4,96 months ; making

the whole time for all the scholars, 313,993 months, at an expense of very litttle less than 28 cents per month. It was shownabove, that the time lost by pupils attending school was 55, 075 months; which in dollars amounts to fifteen thousand three hun red and eighty-two. This will appear somewhat more clearly, when put in another form. Schools were kept open for an average term of 4,06 months, being at an expense of $16,683 50 nearly per month. The average time lost amounted to 0,87 months, the value of which is $15-384 64, nearly the same as before.

SCHEDULE OF RECEIPTS AND EXPENDITURES

RECEIPTS.

From county treasurers,	$11,108 81
From town treasurers,	52,111 05
From other sources,	7,942 06
Amount of public money received,	$70,261 92
Error,	11 96
	70,273 88

EXPENDITURES.

For teacher's wages,	$59,741 59
For libraries,	70 83
For other purposes,	3,678 61
Amount public money expended,	63,491 03
Remaining unexpended,	6,782 85
Amount of public money,	70,273 88
District tax for teacher's wages,	27,962 55
do. for school houses,	46,171 51
do. for libraries,	137 59
do. for fuel, &c.,	4,146 28
Whole amount of money,	149,700 81
Am't pub. *reported* as received,	$65,604 26
Error,	4,669 62
	70,273 88
Whole am't dist. money *reported* rec'd,	67,567 67
Error,	73,133 14
	149,700 81

Capital of the school fund.

The capital of the school fund, on the first day of January, 1851, as appears from the report of the commissioners,* is $538, 094 41, the interest of which, at seven per cent, is $37-666 61. This is derived from sales of the school lands, in the years 1849 and 1850, from the 5 per cents, and from fines.

The lands sold at auction in 1850 have yielded an average advance of nearly six per cent. on the appraised value; but a large portion remains unsold in the counties where they have been offered, and having been offered, are open to private entry at the appraised value. The advantage which has been gained by offering the lands at auction, amounts to an average advance of only 3,57 per cent on the whole amount.

Taking the figures given in my last report, and supposing that the land will sell at at least, this average premium, we have a prospective fund as follows:

1523 secs. 16 at $2,194 96,	$3,342,924 08	
3,57 per cent premium,	119,342 39	$3,462,266 47
Racine city, sec. 16,		74,205 25
Canal lands,	14,807 34	
3,57 per cent premium,	528 62	15,335 96
Balance of the 500,000 acres,	1,668,048 85	
3,57 per cent. premium,	59,549 00	1,727,598 20
5 per cents for 1848-49.		22,537 56
Amount.		$5,301,943 44

This does not embrace all the items which make up the school fund. By an act of the last Congress, the state came into possession of all unsold swamp and overflowed lands within its borders, and this grant being directed to no specific object, merges under the constitutional provisions, into the school fund. Of the quantity and value of these lands, I am at present able to form no estimate. Some are well known to

*See Appendix.

lie among the most valuble lands in the state; others valuable from the timber; but it may be fair to presume that by far the greater part of them are of small value. Another item is derived from fines, penalties and forfeitures. The whole amount received from these sources during the past year is certified by the Secretary of State to be $343 09. There is reason to believe that the sums collected under these various heads, in the different towns and counties of the state, do no all find their way into the state treasury, owing to defect in the law, or some default in the collecting officers.

The attention of the legislature is respectfully called to this subject.

Income of the School Fund for 1850 *and its apportionment.*

The income of the School Fund has been stated above to be at present 37,666 61. The sum to be distributed on the 10th of February, 1851, will, however, considerably exceed that amount. The interest on the invested capital of the School Fund does not all fall due on the same day, the 1st of January, but at different dates. For this reason, that which falls due January 1st, 1851, amounts to $27,065 35

And there is already in the treasury. interest to the amount of 20,651 42

Making altogether, 47,416 77

For the sum to be apportioned among the several towns in the state.

Some of this sum total is interest paid in advance up to December 31st, 1850. and unpaid balances on lands sold, and makes the excess over the real annual income.

This sum, 47,716 77, is to be distributed among 92,105* children, and gives to each child $0,518. There is, however, a possibility that it may fall short of this amount, from failures to pay the interest when due. In this case if the apportion-

*Since preparing the abstract, the town superintendent of the town of Westport, has reported 58 children. His report was accepted,

ment is made according to the present law, some of the counties would be deprived of the proper share of the income apportioned to them.

This would be a great hardship, as considerable reliance has been placed apon the assistance to be derived from the school fund.

It is therefore respectfully recommended that the law regulating the apportionment of the income of the school fund be so amended to limit the sum to be apportioned to the amount actually in the treasury on the 1st day of February, in each year; any payments of interest made after that date to be carried over to the interest of the succeeding year.

Supposing the whole amount (47,716 77) to be paid, the apportionment to the counties will be as follows:

COUNTIES.	TEACHER'S WAGES.	LIBRARIES.	TOTAL.
Brown,	695 20	77 24	772 44
Calumet,	175 31	19 48	194 79
Columbia,	1,113 43	123 72	1237 15
Crawford,	193 03	21 45	214 48
Dane,	2,511 29	279 03	2790 32
Dodge,	2,947 58	327 73	3277 31
Fond du Lac,	1,957 84	217 54	2175 38
Grant,	2,319 18	257 69	2576 87
Green,	1,251 45	139 05	1390 50
Iowa,	1,091 99	121 33	1213 32
Jefferson,	2,314 99	257 22	2572 21
Kenosha,	1,790 92	198 99	1989 91
La Fayette,	1,313 46	145 94	1459 40
Manitowoc,	78 79	8 76	87 55
Marquette,	714 32	79 37	793 60
Milwaukee,	4,586 16	509 57	5095 73
Portage,	52 23	5 80	58 03
Racine,	2,240 86	248 98	2489 84
Richland,	131 95	14 66	146 61
Rock,	3,490 44	389 83	4878 27
St. Croix,	17 71	1 97	19 68

Sauk,	645 31	71 70	717 01
Sheboygan,	1,358 68	150 97	1509 65
Walworth,	3,092 72	343 63	3436 35
Washington,	2,807 76	312 07	3120 85
Waukesha,	2,967 29	329 70	3296 99
Winnebago,	1.082 20	120 24	1202 44
	42,945 09	4,771 68	47,716 76

Formation and alteration of School Districts.

Much inconvenience is felt by the citizens in every part of the state, from the frequent changes that are made in the boundaries of school districts.

The power to form and alter districts is vested solely in the town superintendents.

This power they exercise at their discretion and are required to give no notice of any alterations in the boundaries of a district, except by the description filed in the town clerk's office, and a notice to be served upon one of the district board, who is not required to give it publicity. The consequence is, that alterations are frequently made o f which many of the legal voters of the districts are not apprised till long afterwards. This power the town superintendents may also exercise at any time, exposing districts to the jeopardy of alteration, at periods when they are least prepared for it.

I would respectfully suggest that the law on this subject should be so amended as to restrict any alterations that may be made in the boundaries of organized districts, to the ten days immediately preceding the time fixed by law for holding the annual district meetings ; and that notice of any alterations made, be required to be served by the town superintendents, upon the district boards of such districts as may be affected by such alterations, at or before the time fixed by law for holding such annual meetings.

District Libraries.

As the total annual income of the school fund now exceeds

the sum of thirty thousand dollars ; ten per cent of the same is hereafter required by the provisions of the 83rd section of the school law, to be applied to the purchase of school libraries. Authority is conferred upon the districts to purehase books for such libraries, and it is made the duty of the State Superintendent to advise in their selection. The proper selection of books for these libraries is a subject of great importance. Sectarian instruction, whether religious or political, is now prohibited in the schools—this prohibition will of course extend to the district libraries. Our common schools occupy neutral ground, and should, as far as practicable, be guarded against the strife of contending parties. Not only books of a sectarian character, but also all works of an immoral and frivolous kind should be excluded from them : so also the whole class of ficticious writings, which commonly pass under the names of plays, novels and romances.

For the purpose of enabling the districts to sclect such books for their libraries as may be unobjectionable, I would respectfully suggest, that full catalogues of books suitable for such libraries, be authorized to be published and distributed with a list of prices; so far as the same can be ascertained, and that the districts be restricted in their purchases of books to the works found in such catalogues.

Library of Superintendent's Office.

In pursuance of the act of the legislature of February 9th, 1850, appropriating fifty dollars annually, "for the purchase of rare and valuable works on education, for the benefit of teachers, authors and others who may wish to consult them," a number of works have been procured. The purchases that have been made have been confined principally to works of the greatest celebrity published in Continental Europe, where the philosophy of education has of late years received more than an ordinary share of attention. Besides works on the general philosophy of education and its practical applications, I have endeavored to procure others on the abstruser branches pur-

sued in the common school, and on subjects which may be studied with advantage by the teacher, as well as some works of general reference.

These have exhausted the appropriation for 1850, and leave a small debt against that of 1851. The list of these works with their cost will be found in Appendix B.

In addition to the above, there have been presented to the department, during the past year, 252 publications of different kinds connected with the subject of education, consisting of school books, pamphlets and public documents, and which are of great value for purposes of general information and reference.

Map of the State.

In compliance with the second section of an act defining certain duties of the State Superintendent, approved Feb. 9, 1850, I have made arrangements for the drafting of a "full and complete map of the state," and for this purpose have engaged the services of a competent draftsman. Owing, however, to the delays occasioned by the repairs on the Capitol, the map has been but just commenced. It will be pushed forward with diligence to the full extent to which the appropriation will allow. The design was originally to draw the State by counties separately, and on a scale sufficiently large to exhibit all the school districts. This scheme, the convenience of which to this office would be very considerable, was reluctantly abandoned, as the amount to which I was limited, would not be sufficient to cover more than the expense of a single large map. The plan now adopted will embrace all the recent surveys and such portions of the states and territorys adjacent as to show fully those peculiarities of geographical position, which are destined to affect so powerfully our future welfare as a people.

Counties Visited.

The State Superintendent is required by law to visit the different counties of the state, for the purpose of promoting the

interests of the public schools. T his duty has been complied with during the past year, as far as a proper regard to other official obligations, would permit.

The number of different counties that have been visited, is fifteen. In fulfilling the intentions of the law in this respect, I have endeavored, by public addresses, and personal communication, with school officers, teachers, and parents, to impart such information on all subjects connected with our public schools as their present wants and permanent interests seem to require. It was made a leading object of attention, as far as practicable, to inspect the schools that were in operation in the counties that were visited. This was important in order to understand the practical working of our school system, and as much time was spent in this manner as could be spared from other objects of inquiry.

During the autumn, I attended Institutes for the instruction of teachers that were held in the counties of Grant, Rock, and Jefferson. About 120 pupils in all were present at these institutes, and were instructed for several days successively by persons of experience and ability, in the various duties pertaining to the teacher's profession.

In view of all that has fallen under my observation, and from a careful consideration of the returns made to this department from the different parts of the state, I am satisfied that great improvement has been made in the condition of the schools during the past year. Teachers of better qualifications have been employed, and a more liberal spirit manifested in regard to their compensation. School officers have generally attained to a better knowledge of their duties, and have exhibited a more becoming zeal in their performance. A great number of school houses have been erected, where none existed before, and many old and unsightly buildings have given place to structures that are neat, commodious and substantial. In many of the principal villages, school edifices of the first class have either already been erected, or are in process of completion.

But with all these gratifying evidences of improvement, it is not to be disguised that there are evils and imperfections that exhibit themselves in the present administration of the system, and which hinder its success. Some of these evils are unavoidable in our present circumstances, and will be cured by lapse of time ; but there are others that are inherent in the system itself, and which can only be cured by the hand of legislation. These will be considered in the subsequent parts of this report.

Plans for the better organization of the Common Schools.

The Superintendent is required in his report, to submit plans for the better organization of the common schools.

In the last report from this department, the progress of opinion in regard to common school education and the measures adopted by some of the other states, for perfecting their school systems, were adverted to ; and in connection with what was then said, plans were suggested for the improvement of our own. As the proper organization of our common schools is a subject deeply involving our present and future welfare as a people, I feel it to be my duty again to present it for the consideration of the legislature, and in order that the subject may be fully understood, I would invite their attention to the following inquiries :

What is our common school system ?

What are its defects ?

How shall it be improved ?

There is a great unanimity of sentiment in regard to the *importance* of education—that is, all agree that some school instruction is essential, and that it would be a great misfortune to any child to grow up wholly destitute of it. But when we come to the practical question, ',what provision shall be made for it ?" we find a great difference of opinion in regard to the kind of education that is deemed essential, and the means to be employed in its attainment. This difference of opinion I apprehend, is mainly occesioned by a want of proper information and reflection. It does not originate in the

nature of the subject itself, but in the erroneous views that many take of it. The same facilities and powers are common to all minds, and are to be disciplined by a similar process; and there is no reason why one mind should receive an elementary education different from that of another. It is true that there may be such a difference in mental states or habits, that the educational process may be more easily conducted in one case than in another, and a more rapid progress made in improvement. Still the general method of procedure may and should in all cases be the same. When the elementary part of education is finished, then, and not till then, that part of it which is called professional should begin. Here, and not before, a difference should be made and the instruction should be adapted to the particular pursuits for which the pupil is destined.

The knowledge to be acquired in our common schools is strictly elementary, and the course that is best to be pursued in one, is best to be pursued in all. The uniformity in the constitution of the human mind lays the foundation for uniformity in educational discipline. Civilization has no inheritable properties. A father cannot transfer to his son his knowledge and refinement as he may his estate. One generation does not succeed to the intelligence of another, as heirs at law. One mind cannot think and learn for another, but each one must think and learn for itself. The child must begin at the alphabet where the parent began before him. All that the wisest of mankind have known they have acquired.—The attainments of learning and science and skill always have been, and always will have to be purchused by the thought and discipline and labor of their possessors. Newton, when a child, was ignorant like all other children. He made his way to those sublime heights of science to which he reached, by the exercise of his own powers. It is by the discipline of the mental faculties of the individual man that progress is to be made in knowledge; and the intelligence and refinement of a community or state, is only the aggregate amount of the

intelligence and refinement of the different individuals that compose it. The mind is a spiritual agent and endowed with various powers—with power to think, to feel, to will, to remember, to imagine, to reason, to love and to hate; and it is the invariable law of man's nature, that these powers are to be developed and matured by exercise. And when developed and strengthened and matured they constitute the instrumentality by which he is to progress in civilization, and make all his achievsments in science, and literature and the arts. Consequently, if these powers are imperfectly developed, or are not fully matured, the efficiency of their instrumentality will be proportionally diminished. It is the business of education to train the powers of the mind in accordance with the laws of their development and growth, and to train them all to such a degree as to give symmetry to the intellectual character.—Some men have little or no power to reason correctly—some are all fancy—others all memory. Some, with great power of reasoning, have very feeble consciences. In all such cases, there must have been a defective education. Now, as I have already remarked, on account of the uniformity of human nature, there is no reason why one mind should be subjected to an elementary process of education, different from that of another; accordingly, in those cases where education has been made a state interest, as with us, a uniform system has been established, which is designed to operate equally upon the pupils in all the schools. The system adopted in the common schools of the different states is essentially the same.

We now come to the first point of inquiry. What is our common school system?

By the provisions of law, each town is required to be divided into a convenient number of school districts. The boundaries of these districts may be altered from time to time by the appointed authorities so as best to suit the varying cicumstances of the townships as to population and the facilities of roads &c. After the boundaries of the districts are established, the legal voters of the same are authorized to elect their re-

spective district officers, to fix upon a site for a school house, and to furnish it with the proper furniture and apparatus.—The district board is authorized to contract with a qualified teacher to condnct the instruction of the school; and such teacher is by law required to give instruction in reading, writing, orthography, arithmetic, geography, and English grammar. Other branches may be taught by the direction of the district board. A qualified teacher is one who has obtained from the town superintendent a certificate that he has been examined by him and has been found qualified to teach, in respect to moral character, learning and ability.

Every child of a district between the ages of four and twenty years has the privilege of attending the school free of any charge for tuition.

The wages of the teacher are in part paid by the income of the school fund. What the income of the school fund will not pay, must be raised by tax upon the property of the district, as well as the other expenses of the school, and each district must raise by tax at least half as much as it receives from the income of the school fund.

The minimum length of time a school must be taught is three months in each year, and it may be taught longer if the district shall so direct. A register is required to be kept in each school of the daily attendance, tardiness and absence of the pupils.

The school and text books used in the different branches taught must be uniform in the same school, and the district boards are clothed with authority to select them.

Such are the principal provisions of our school law, and such is the frame work of our school system.

Is the system complete? I think not, I apprehend that some additional provisions are needed to secure more perfectly the great object for which schools are instituted. What these additional provisions should be, will be rendered apparent by a consideration of the defects of the present system.

This brings us to the second subject of inquiry proposed: 'What are the defects of the present system?'

The branches that are required and professed to be taught in our schools, are. as has been stated above, reading, spelling. writing, geography, arithmetic and English grammar. It will be admitted that a knowledge of these branches is essential, and that there can be no sound scholarship without it. From the first settlement of the country to the present time, these branches have been taught in the common school; and the system of instruction that has been pursued in reference to them, from that day to this, has been pretty much the same, wherever common schools have been established.

This long experience has exhibited *practically* the results of the system, and the real worth of the common schools, as they have been, and are now generally constituted, to the educational progress of the county. The language of this experience is, that common schools have but partially answered the great end for which they were established.

They have done good—they have made the condition of society much better than it would have been without them; raised it to a higher level of intelligence and virtue, and formed a starting point to the career of many citizens of distinguished usefulness. But while all this is admitted, I think it is susceptible of satisfactory demonstration that they have not accomplished all the good they could and should have done.

In the first place, so far as intellectual education is concerned, the knowledge that has been acquired of the subjects of school study, has generally been of a very superficial kind.—Take, for example, the subjects of reading, spelling, and writing which are of primary importance and of indescribable utility to persons of every rank and station in life. As to reading, as a mechanical exercise, it must be admitted, I think, that our common schools produced but few good readers.—To say nothing of the modulation, tones and inflections of the voice, and of the facility and distinctness of utterance, which we have not time here to discuss, you may almost everywhere

remark in the graduates of the common school, a faulty pronunciation. The proper pronunciation of words is a very essential part of the language to which they belong, and it is certainly as easy to learn a correct as a faulty pronunciation.

It is an old and sound maxim, that "what is worth doing at all, is worth doing well," and what is worth learning at all, is worth learning well; and it is desirable that the children in our schools should be taught to read and speak the English language with orthoepical propriety.

This is attempted in our common schools, but hitherto has been only partially accomplished. As an *intellectual* exercise, reading is taught in a still more objectionable manner.—Written words represent not only *sounds* but *ideas*. Now it so happens that if a pupil can readily utter the sounds indicated by the written characters as combined into sentences— if he can mererely give a vocal interpretation or expression to them with facility, the object of a reading exercise is apt to be regarded as fully accomplished. So far as the mere mechanical execution is concerned, this may be to some extent true. The power, properly to vocalize the symbols of thought is certainly of great value, and should be made a leading object of attention.

But there is a higher object that should be kept in view, and that is, the *thought* to be communicated by the written symbols and their vocal expression; and this thought is to be associated in the mind of the pupil, with both classes of symbols, with the written or visible, and the vocal or audible. By the eye the reader is to acquire the thought, by the voice he is at the same time to communicate it to others. If this is not done—if there is no intellectual apprehension of what is physically perceived and uttered: if the pupil is only taught to express the sounds represented by the written characters, he is made a mere machine—an automaton.

Now what I have to say is, that reading, as taught in our schools, partakes too much of this mechanical or automatical character. It *should* be executed with artistical skill: it

should at the same time, be made to interest and excrcise the understanding of the pupils. But according to the present method, the pupils in our schools, are too much accustomed to use sounds without sense, and language without ideas, and the habits they acquire at school they carry with them through life.

Spelling is another branch of school study. Spelling has been and now is principally taught through the medium of the spelling book. Webster's spelling book, for a long series of years, maintained its place in the schools without a rival.—Recently numerous competitors have entered the market, each of them professing to have made valuable improvements upon all previous works of the kind, and claiming the popular favor. What may be the several merits of these different works is not material to the present inquiry. It is sufficient now to say that spelling is principally taught by the use of some one of them in each of the schools. That much may be learned in regard to orthography by the use of a spelling-book is unquestionably true. But this mode of teaching spelling is, on several accounts, objectionable.

In the first place, by this mode, spelling is taught *orally*.—The pupils are arranged into classes, and each one in turn spells aloud one or more words pronounced by the teacher.—In this way the spelling exercise is conducted, from day to day, through all the lessons of the spelling book, in which the words are arranged in columns for that purpose. And that pupil is regarded as a good speller, who can readily spell through these columns of words without mistake. Now, it is found by experience, that many pupils who spell well orally are liable to great mistakes, when they spell with the pen.—The reason of it is obvious. A knowledge of the orthography of words is applied practically, only in writing; and in writing words, the writer is not governed by the ear, but by the eye. Hence he may err; for there is no resemblance between the sounds of words and the visible characters or letters by which they are represented. As spelling is practically used,

only in writing, there is more necessity for a discipline of the eye in this branch of school duty, than of the ear, and written exercises in spelling, except with beginners, are preferable to oral; but both may be employed to advantage. Another objection to this method is, that by it scholars are taught words without ideas.

The columns of the words as they are arranged in the spelling book, are without definition, and the meaning of many of them is beyond the comprehension of children, if they were defined. As far as practicable, children should be accustomed to attach definite and accurate ideas to the words they hear or use, *in school or out.*

It may be further objected to this method of spelling, that it does not familiarize the minds of the pupils with those principles of usage by which the orthography of the language is determined. It leaves the scholar with nothing to depend upon except the power of memory, without the aid of general rules; and the memory is limited to the list of words memorized, beyond which the mind is perplexed by doubtful and conflicting analogies. There are large classes of words of daily use, that can be found neither in the spelling book nor any of the school dictionaries; as the plurals of nouns and the comparative and superlative degrees of adjectives, and some of the variations in the form of the verb. These being to a great extent omitted in common school instruction, as a matter of course those who enjoy the advantages of no other, are constantly exposed to the pains and penalties of a false orthography.

Select the best scholars in our common schools, and test them experimentally on this subject, and they will be found deficient, and this deficiency is not commonly remedied by subsequent study. As a proof of this, we have only to refer to the letter correspondence of our friends. This deficiency in spelling is the fault, not so much of the pupils, as of the system by which they are taught.

The next branch of school study mentioned is writing.—Writing is a branch of drawing, to the proper execution of which the careful training of the hand and eye is indispensably necessary. Practically this is to be done by placing before the pupil suitable models which he is required to imitate. Models should be perfect, for to these the taste and style of the learner is to be formed; and the eye and hand should be exercised upon these model forms a sufficient length of time to fix in the mind an accurate and vivid conception of them, accompanied by a ready skill in their visible delineation upon paper. But if you will visit any of our school rooms, you will find that the art of writing is there imperfectly taught, both theoretically and practically, and that the attainments there made in it, are of the rudest kind. Consequently the writing of the great body of our professional men, also of our farmers and mechanics, and I will not except their wives and daughters, partakes more of the hiereoglyphical than of the alphabetical character, and so conscious are many of their deficiency in this respect, that they will never write a letter of business or friendship except upon urgent necessity, and then the execution of it, is as painful to themselves, as the translation of it is puzzling to their correspondents. Punctuation in writing is not taught at al, and we all know that the meaning of a sentence often depends upon its punctuation. Take for example the following passage from the Revised Statutes, relating to the office of town treasurer: "and for making such return he shall be entitled to receive one dollar and six cents per mile, travel fee." According to the punctuation of this passage, the mileage of the town treasurer is made one dollar and six cents, when the obvious intention of the legislature, was, to make it six cents; and if a point had been placed after dollar, it would necessarily have been so interpreted. But the punctuation makes the mileage, $1 06; accordingly, in one county in this state, the town treasurer actually received $1 06 mileage.

The knowledge that is acquired and the attainments that

are made on the subjects of Geography, Arithmetic and English Grammar, are no less faulty and defective than those in the branches already specified. A proper knowledge of the geography of a country can only be acquired by drawing the map of that country, and by repeating the process till its natural features and principal civil divisions are permanently fixed in the mind and vividly pictured there. Places with which we have been familiar, and roads over which we have often traveled, we retain a clear mental conception of, long after we have ceased to look upon them with the outward eye. The common method of memorizing Geography is of little value, for the mind is not long tenacious of mere words when there are no perceptions to recall, with which they may be associated.

The study of Arithmetic, though vastly better taught now than it formerly was, yet fails to secure generally that discipline which is essential to accurate and rapid mental analysis.

As for Grammar, it is made one of the most dry, uninteresting and unprofitable studies pursued in our schools. The common mode of teaching grammar, by parsing, leads to this result. The object for which a pupil studies grammar is to learn how to express his thoughts in words properly arranged into sentences, agreeably to the law of use, or the principles of language. The principles being first learned should be practically applied. In the common method of parsing, the pupil merely explains how another applies those principles.—He is not called upon to construct a sentence agreeably to those principles, but to show how another has done it. But there is a great deal of difference between explaining how another has executed a piece of work, and executing it ourselves. It is very easy to see and explain how another has constructed a piece of machinery, when we may be utterly unable to construct it ourselves. So it may be comparatively easy for a pupil to parse correctly what another has written, without being able to write grammatically himself, and every teacher of any experience knows this to be the fact.

In looking over the whole course of study pursued in our common schools, and ascertaining the particular results of the system there adopted, no one can fail to perceive that glaring deficiencies exist, and that vigorous efforts for improvement are necessary. The great body of the youth of the country continue in school from the age of five to sixteen, and not one in twenty of them is qualified by the education he receives there for the transaction of even the ordinary business of life, in a respectable manner. Apply any reasonable test you may choose—give them a book—a pen—or a slate, and you will find their school attainments to be of the most meagre kind; and it has always been so, and such has always been the impression upon the public mind; and for this reason common schools have been regarded by a great many every where, with indifference if not with contempt. And so strong has been the feeling on this subject, that to secure a better education than is afforded in the common schools, private schools have been generally established and extensively patronized, and but for their influence and the better opportunities they have afforded, the general amount of intelligence in every community would have been vastly less than it now is. But this influence of private schools has been but partial, for the great body of the youth, especially those in moderate circumstances, have been excluded from any participation in their advantages by the very necessities of their condition. This is contrary to the genius of our republican institutions, for our doctrine of the equality of political rights and of popular sovereignty, draws along with it a necessity for universal elementary instruction and equality in the means of its enjoyments.

For without this, odious distinctions will be created, having a tendency to divide every community into classes or castes, with separate feelings and interests, warring and clashing with one another. The defective system of common school education has occupied a considerable share of public attention within the last fifteen or twenty years, and decided progress has been made in its improvement,

In the first place it was ascertained that one reason why these schools accomplished so little was, that they were not provided with funds adequate to their support; accordingly, in many of the States, funds have been provided to aid in paying the wages of teachers, and for furnishing school-rooms with suitable libraries and apparatus. In addition to this, large sums have been raised annually by taxes, and appropriated to the same objects, so that now, the difficulty of sustaining schools for want of funds is greatly diminished.—It was ascertained also, that something else was necessary besides money—that the business of instruction could not be conducted successfully without better qualified teachers. To supply this want, normal schools and teachers' institutes have been established. So far as the professional education of teachers is concerned, there can be no rational doubt that these institutions, wherever they have been or may be established, will do much towards accomplishing the object proposed, and the public have reason to expect great benefit from their instrumentality.

Wisconsin is liberally provided with a school fund, and means are now in active preparation for the early organization of the Normal School Department in the University, which will afford ample facilities for the professional education of teachers. This subject will be again referred to in the concluding part of this report.

But these reforms in common school education, will not cure all the defects of which we have been speaking. They do not reach all the causes in which the evils complained of originate. Our system is still imperfect, and as long as it remains so, much of the time and money that is expended under its operation, will be wasted.

There is not a proper adaptation of means to the attainment of the ends proposed. It seems to be taken for granted by a great many, that if children are sent to school, and continue in it a certain length of time, their proper education will be secured; that like wheat sent to a mill, they will pass

through and come out *superfine*; that if large funds are created, school houses erected, and competent teachers employed, the pupils, by the operation of the school machinery, by certain mechanical and pedagogical processes and contrivances, will be manufactured into accomplished scholars.

All such expectations are vain. The methods to be pursued in developing the faculties of a child, to be successful must be in accordance with the laws of its moral and physical constitution. And further, if we impose duties upon the teachers of our schools we should render the discharge of those duties practicable. Our present system goes no further than to organize a district, erect a school house, provide a teacher and the means of paying him. Here it stops. On the most essential point, viz: the *instruction* to be given, it is silent; and the instruction to be given in the schools, is the great end and aim to which all the other means are only preparatory and subsidiary. But there is no rule or plan by which the kind, degree or mode of instruction is to be regulated. All this is left wholly to chance. No path is marked out—no land-marks are held up to guide the young wayfarers after knowledge. It is true that the law specifies certain branches to be studied in the schools; but it lodges no authority in any hands for arranging these branches into a systematic course, and determining the time and manner in which they shall be pursued. When shall any particular branch be commenced; to what extent shall it be pursued, and by what shall it be succeeded, are questions that any one may ask, but no one can answer, except that each pupil, or his parent may determine them for himself.

This state of things generates confusion in the schoolroom. The teacher has no control over his own business.—His pupils study what they please and when they please, without any settled rule or practice by which the branches to be pursued are to be adapted to the age, capacity, or progress of the learner. Consequently the branches that are studied are taken up in the wrong order. The pupils being limited

to no prescribed course are permitted to undertake that which they cannot understand for want of a previous acquaintance with something else upon which it depends, or for want of proper discipline to render them competent to understand.—For these reasons there has been in the schools but very little thorough scholarship, And such a result as this follows almost necessarily; for if a scholar is permitted to enter upon a subject of study before he is prepared for it, by a discipline and attainments that are a prerequisite, it will be impossible for him to succeed, All that could be acquired under such circumstances would be a mere smattering—a few vague general notions—a little of several things, but not enough of any thing to constitute the basis of correct opinions, or to be of much practical utility. By such a process, too, habits of mind are fastened upon the children which are of the most pernicious character.

Nothing is better settled in mental philosophy than that the faculties of the mind are developed and strengthened only by exercise. But in our common schools, none of these faculties can be said to have any special training, because there is no arrangement of studies in reference to this object. Perhaps I ought to except the memory, for the method that is used being mostly of memoriter kind, it, in many cases, attains to some vigor. But, having to depend in most cases, upon mere local association, not much benefit is derived to the pupil from its improvement.

The studies of the school room being arranged on no systematic plan, the mental faculties of the pupil are not properly exercised, and consequently are not fully developed; and the pupils themselves being accustomed to this state of things during all their schoolage, lose the elasticity of their minds, and are fashioned to a monotony of thought and action that is in close proximity, in many cases to mental imbecility.—Who has not seen the young child of sprightly disposition, of eager curiosity, of quick and intelligent perception, transferred from the nursery to the school room, and there changed

in a few months into a being of different mould, its vivacity gone, and its early promise of bright intelligence eclipsed, if not extinguished. Parents are apt to think that their children when very young are very smart, and oftentimes prodigies in intellectual growth and progress. But such opinions are generally changed after the children have been subjected, a while, to the repressing and deadening influences and mismanagement of the school room. The sprightliness and vivacity of the child, would probably be preserved and constitute elements of great loveliness, in the character of the future man or woman, were it not for our stupid methods pursued in the schools, the effect of which is to dwarf the intellect and pervert the heart.

If nature was followed and the feeble powers of the child were fostered and disciplined by proper methods, the blooming loveliness of the child's infancy would not so often stand in such painful contrast with the sterile ugliness of its manhood. Intelligence and virtue are not a spontaneous growth, nor the result of accident. They are the fruits of culture—of well-directed and long-continued effort—of parental watchfulness—of professional skill—of means wisely adapted and efficiently applied to the attainment of a desired end. And there is no place and no business in which method and system and the wise adaptation of means to ends, are so important and indispensable, as in the course of study and instruction of the school room. And it is painful to perceive that here, where they are most needed, they are scarcely to be found.—And this is not all. This no-system, this chaotic intermingling of all correct principles of theory and practice in the actual instruction of the schools, is not only itself a positive evil, but it is an evil of such a kind, as to drive from the field of common school labor, all thoroughly accomplished and well-qualified teachers. And the reason is, that such teachers are not willing so to waste their time and labor in a vain pursuit, or for such an insignificant return of honor to themselves and profit to their pupils; and consequently they em-

bark in some other calling or profession. Many persons have supposed and may still suppose, that the evils of which we are speaking, could and would be cured by professional skill—that if the qualifications of teachers were improved, the cause of common education would advance with such improvement. This would be true if the evils complained of were of a nature to be reached by professional skill. But they are beyond its reach—or rather, in the existing state of things, there is no proper opportunity afforded for its exercise. To be convinced that this is so, you have only to look into one of our school-rooms and there witness the daily proceedings of a school conducted on our present plan. You will there see a teacher surrounded by fifty or sixty scholars, and often more, of all ages, from 4 to 20, and with studies ranging from the alphabet to the highest English branches. You will also perceive that the teacher is required to "work off" daily, about 40 recitations upon an average, in the space of six hours. I have visited schools of forty scholars, during the last summer, where with the best classification of scholars that could be had, 40 recitations a day were required.

To accomplish so much work in so short a time, *speed* is required; and to enable the teacher to "get round," that none may have occasion to complain of being slighted or neglected, the briefest possible space only, can be allowed to each recitation, and while the pupils are reciting, if such a term is appropriate, the teacher must at the same time mend pens, set copies, solve problems, correct mistakes, answer questions, and keep order by the exercise of his eyes and ears, hands and feet and sometimes of the rod. Now, it may be asked, under such circumstances, where is the opportunity for the exercise of skill on the part of the teacher except in keeping at the "top of his speed," from morning till night. And what is the result? Why, just what might be reasonably expected. If the teacher is competent, skilful and conscientious, he will see that he is spending his time to very little purpose—that no effort that he can put forth can secure the proper proficiency

of his pupils—that success under such circumstances is impossible—that the business, in addition to being laborious, irksome and monotonous, is and will be without honor and without reward. In other words he will feel that in such a pursuit there is but little to be gained, but much to be lost and will accordingly abandon it for some other occupation.

Hence it has been and will continue to be exceedingly difficult to secure the services of competent teachers in our common schools, organized on our present plan; for right-minded men will not continue in any business where their reputation is to be impaired by the impossibility of success. It is obvious that the great leading defect of our system and of the common school system generally, is the assembling in one school room of as many children of both sexes and of all ages, between four and twenty, as can be gathered in from a certain extent of territory, under *one teacher*. For in a school so constituted, a course of discipline and instruction, appropriate and progressive, cannot be introduced equally well adapted to the different classes of pupils, neither can one teacher, whatever may be his professional skill and ability, *find time* under such circumstances for the discharge of the duties that are required of him. Consequently the pupils from mere neglect, are subjected to a great waste of time at the most important period of their lives, and are also exposed to the formation of idle habits, and to the contraction of vicious and vulgar tastes from the influence of which they can never afterwards wholly recover. This, I say, is the great leading defect in our system that paralyzes the zeal and energy of the teacher, and limits the attainments of our youth in the schools to the most scanty rudiments of knowledge; and to this cause we may look, more than to any other, for the low estimation in which common schools have been held by the more intelligent portions of every community, in which they have been established and until a radical change shall be made in our system in this respect, there is no expenditure of means or money that can es-

sentially and permanently improved it. This brings us to the third and last inquiry.

How shall the system be improved ?

The system is to be improved in the first place by establishing a gradation of schools in every town and providing for the classification of scholars according to their age and progress. In no other way can the instruction and discipline of the schools be successfully adapted to the wants and necessities of the pupils. The idea of such a gradation is clearly embodied in the constitution in the article on "Education," and will be again adverted to in another place.

This desirable change in our system might be effected by providing that every district that numbered over sixty scholars should be required to maintain a primary school under a female teacher, for the young pupils, and a secondary or academical school of a higher grade for the older and more advanced pupils. In most, if not in all cases, schools of these two grades in a district could be organized in different departments in the same building. A school house, with two rooms of sufficient size, would furnish all the accommodation that would be necessary. In the cities and villages the gradation of schools might be extended to three or more departments in the same building. Or should it be deemed expedient, the primary schools in large and populous districts might be located in different neighborhoods, so as better to accommodate the attendance of small children. What are the objections to this mode ? By creating two departments in the school of a district composed of sixty scholars, the annual expense of instruction would be increased about in the proportion of the wages paid to the additional teacher. This increase of expense would be an objection of some force. A further objection would be, the exclusion of all districts of less than sixty scholars from any participation in the benefits of such a provision.

I am inclined to believe that there is another mode by which the grades may be introduced, without being so obnox-

ious to the charge of increased expense, and with equal benefit to all the districts of a town, whether large or small. Such a mode was suggested in the last annual report from this department.

I beg leave here again to advert to it, and would respectfully urge it in connection with other improvements in our school system, upon the attention of the legislature.

The following is the mode referred to :

As our townships are generally composed of territory six miles square, and are already by law required to be divided into a convenient number of school districts, it is proposed to constitute such districts the primary districts, in which the schools that are and may be organized from time to time, shall be called schools of the first grade, and designed for the instruction of the young children in certain prescribed studies, and under the charge of female teachers. To provide for schools of a secondary or academical grade for the instruction of the older and more advanced scholars under the charge of competent male teachers, it is proposed to unite these severally so constituted primary districts of a town so as to form a union district, or to constitute them one district, and to invest them when so united, with such powers, and to impose upon them such obligations as best to answer the objects of such union ; and should it be thought advisable, such union districts might be subject to alteration by provisions of law similar to those which *now* regulate the formation and alteration of districts, that is, the town superintendents of the different towns, or other officers might be authorized, on certain conditions, or for certain reasons specified, to set off portions of the territory of two or more of such union districts, to constitute an additional union district.

In this manner two grades of schools might be established in each town.

Let us now inquire what would be the probable expense of supporting the schools of these two grades. If female teachers were employed in the primary schools as they should be,

and a male teacher in the secondary school, on the supposition of ten districts to a town, the cost of the several schools per month, would be as follows:

Wages of 10 female teachers, at $9 02 per month each,	$9	20
" 1 male teacher, at $30,00 pr. month,	30	00
Total per month,	$120	20

The amount of wages to be paid per month, to female teachers, in the above calculation is taken from the average amount actually paid to female teachers during the last year, as will be seen by reference to the abstract.

Let us compare with this the same number of schools as they are now conducted. As male teachers are almost universally employed from three to six months during the year, we will take from the abstract as above, the average amount of wages paid to a male teacher, and the result will be as follows:

Wages of 10 male teachers, at $17,14 per month each,	171,40
Difference,	51,20

From this it would appear that the establishment of the two grades, would actually save to each town $51 20 per month —a sum more than sufficient to pay the wages of another male teacher. So that the amount now actually expended in the support of every ten district schools, as now constituted, is sufficient to support ten primary schools and one secondary or academical school, if not two, in the manner proposed.

There is then, really, no valid objection on the score of expense—and in my judgment, there are no other considerations that can be interposed of sufficient importance to outweigh the advantages to be derived from the proposed application of the principle of gradation in question.

Let us inquire, in the next place, under what limitations of law the establishment of the two grades of schools proposed should be authorized. All that is necessary in this respect obviously is, to guard the exercise of any power on this subject that may be vested in the citizens of the several towns,

against abuse. In settling a proposition to unite the districts of a town, so as to form a union district for a school of a higher grade than the primary school, the legal voters of a district should be consulted, and their voice should be heard; and I cannot see that any injustice would arise from incorporating into our school law a provision, that when the inhabitants of a town should exceed fifteen hundred in number, (and the valuation of property should exceed a specified amount,) that then the legal voters of such a town, at their annual meeting, should be authorized to vote on the question whether the school districts of such a town should be united to form a union district for the establishment and support of a secondary school or schools of a higher grade; and if such question should be carried affirmatively, that then the necessary direction and authority should be given to perfect the organization of a school, or schools of such grade. Such a provision of law would leave the disposal of the question to the voluntary action of the legal voters, and it is not to be presumed that they would abuse a discretion that might be so placed in their hands. But on the contrary, we should have good reason to expect that the general diffusion of knowledge, and the prevalence of juster views on the subject of education, would prompt the citizens of the several towns, as they attained to that degree of wealth and population made necessary for their action in this respect, to establish those grades that are essential to the success and perfection of our school system.

In concluding this subject it is proper to remark that I have given it no greater prominence in this report than its intrinsic importance demands. It is a subject upon which the people in every part of the state are calling for information, and for action. In very many of the towns and villages great changes and improvements have been made in the schools within the last two years by the force of public sentiment in accordance with the views here expressed. And during the last year inquiries like the following have been put to me wherever I have been: Is our school system to remain as it is? Can it not be

improved? Are we to be burdened with heavy taxes, in addition to the income of our large school fund to support schools that are almost worthless? Can we not have public schools that will furnish as great advantages of education to our children as private schools? And very many parents have been found who had wholly withdrawn their children from the public schools, because, while there, they not only made little or no progress in their studies, but were also exposed to influences that were believed to be positively demoralizing. And on account of this state of things many an honest and faithful teacher has had to bear the blame, when the fault was properly chargeable upon the system itself. I am no advocate for hasty legislation. All measures of reform should be carefully considered and well matured. But the cause of public education in our state is retarded and weighed down by the burden of existing evils. These evils are of long continuance; they have pervaded the school systems of other states; they have been handed down from generation to generation, and are now difficult to be dislodged solely on account of the sanction that a long usage has given to the system as it is.

By reference to the appendix that accompanied the last report from this department it will be perceived that several of the states have recently amended their school systems by incorporating into them measures in accordance with the principles here proposed to be adopted. Wisconsin during the short period of her existence as a state, has secured to her citizens, no small share of prosperity at home and respectability abroad by the wisdom and liberality of her legislation, and all that is necessary on the subject under consideration is, that the same wisdom and liberality should be exercised in perfecting that system of education which she has so nobly begun.

Professional Education of Teachers.

In providing for the educational wants of the country, three classes of agencies have been recognized every where from the beginning, viz: The primary or common school, the academy and the college or university.

This classification seems to cover the whole ground and to indicate very clearly the general structure of any system, which aims to meet the intellectual wants of the community. No educational system for a great people can be regarded as entire and complete, which does not accomplish, in the most harmonious and best manner, all that has been attempted by these three classes of agencies.

The constitution of the state, accordingly recognizes this gradation of schools, by authorizing in the article on education district schools and academies to be formed on the basis of the school fund, and providing for the support of a state university from the proceeds of the sales of the seminary lands. It is the intent of the system above detailed in this report, to develope the idea indicated in the constitution (so far as it falls within the scope of this department,) viz: the district school extending primary institution, under greatly improved conditions to every neighborhood—the secondary or academic school offering the advantages of a chartered academy to every town in the commonwealth—the university acting in harmony with the entire system, and crowning the whole.

The problem to be solved by Wisconsin is, to give to its entire system of public education, such perfection in its mechanism and practical workings, as will not only make its whole advantages accessible to the child of the humblest citizen, but command the willing patronage of the wealthy, by demonstrating the superiority of its results over those of select schools or of chartered institutions of any and every grade.—But it is not to be forgotten that the practical workings of any system, however perfect in plan and in detail, will, after all, depend on the intelligence and skill of those who are commissioned to conduct all its processes to good and valuable results. With whatever wisdom the territorial divisions of the State may be made for educational purposes, however perfect the classification of scholars, with whatever art and judgment the school house may be adapted to its uses—these, and all other possible reforms must go for nothing without the crown-

ing provision for the adequate supply of able and qualified instructors. It is, after all, to the accomplished professional teacher, who administers the system and conveys its advantages to the mind and heart of the pupil, that we must look for the practical benefit of the educational reforms which are now commanding public attention and interest.

The general sentiment of the paramount importance of this subject, has already begun to express itself in the appearance of a new feature in the educational system of the country, a class of institutions whose distinct office it is to supply this great educational desideratum. I allude of course to the schools for Normal Instruction, which together with those valuable associations called Teachers's Institutes, propose to prepare by adequate culture, educators of the public mind in sufficient numbers to meet all the demands of a well devised system of Public Instruction. This new and very important agency cannot now be regarded as perfectly developed, nor its relations to the other portions of the mechanism of education definitely adjusted and settled, as is sufficiently evident from the varieties of form and practice, which are observed to obtain in the several states which are now conducting the experiment of Normal Instruction.

The preparation of the teacher for his great and important work involves two conditions—*first*, he must be well grounded in that whole class of studies which are to be taught in the public school, which *general culture* of the teacher consists not only in the acquisition of the requisite amount of knowledge, but also of that mental discipline which may enable him to bring to his occupation a broad deep and thorough understanding of the branches of study he may be called on to teach; and *secondly*, in addition to this general preparation, he must have that *profeessional culture* which may guide him to the best modes of instructing and governing the public school—to the use of those means which shall take the heart and affections, as well as improve the reason and understanding of his pupils; in fine, which shall include all those qualifications,

which are best adapted to give interest and efficiency to his labors.

It is quite obvious that these two distinct items in the preparation of the teacher, namely, a thorough knowledge of the subject he is to teach, and professional culture in the science and art of teaching, must be both provided for in the organization of the educational agencies of the state.

It is equally obvious that the first of these items of preparation may be acquired in the ordinary institutions of learning in the state, namely the primary school, the academic school and the university. To enable the future teacher to become thoroughly versed, for example in Geography, in Arithmetic or in Algebra, calls for the creation of no separate or extraordinary educational agency, like the normal school. He will best acquire these and other branches of general learning, precisely where they are best acquired by the farmer, the merchant, the lawyer, the divine and others of his fellow citizens.

In regard to the other item of preparation for the responsible office of a teacher, the rule is different. The rrt of teaching is rising to the dignity of a profession, and like other professions, it demands its appropriate professional instruction.

It is for this reason and for this only, that the normal school has made its appearance as a new and distinct feature in the educational system. The plan of normal instruction in the state of New York, as at present developed, fails to make the distinction here laid down, berween the general scholarship of the candidate, and his professional culture, in preparation for his teacher's degree. By undertaking both these offices, the state institution at albany has evidentally accomplished much less for the public schools of the state than it might have done had its munificent original outlay, and its large annual drafts upon the treasury, been devoted wholly and specifically to the professional instruction of candidates for the teachers degree. So far as its resources have been applied to the general, in distinction from the professional culture of its pupils the utility of the institution has been that of an additional academy or

high school; while its means of accomplishing its appropriate office as a professional institution has been, to a corresponding extent diminished. By laboring to accomplish this double office, its course of study has been extended through two or more years, and the number of those who can avail themselves of its instruction, does not approximate towards a supply of that want of the public schools which has called the institution into being.

The Legislature of Connecticut, at its session of 1849, passed its first act, for the establishment of a State Normal School for "training teachers in the art of instructing and governing the common schools of the State," the object of which normal schools is declared in the first section of the act to be, "not to educate teachers in the studies now required by law, but to receive such as are found competent in these studies and to train them in the best methods of teaching and conducting common schools." This act of the Legislature of Connecticut announces unquestionably the true conception and describes the proper office of the Normal School. Its professional character is distinctly brought out; and its pupils are to be those, and those only, who are found on an entrance examination, to be competent in those studies which are required by law to be taught in the public schools of the State. Assuming this to be the proper position of normal instruction in the educational system, it is obvious that the educational agencies of Wisconsin, to wit: the primary school in each neighborhood; the union or academic school in each town, and the literary department in the University, will, in their mature condition, be abundantly able to prepare for entrance into the normal school any number of the youth of the State, which may be necessary to supply the demand of public schools of every grade with competent instructors.

Our unexampled growth in population, attended by a rapid multiplication of our schools, is now pressing upon our attention the importance of making suitable provision for the professional education of teachers. The form which this pro-

vision is destined to assume, has been already indicated by the course of legislation on the subject of education. In the act establishing the University of Wisconsin, it is declared to consist of four departments.

1. Of Science, Literature and Arts.
2. Of Law.
3. Of Medicine.
4. Of the Theory and Practice of Elementary Instruction.

In the last annual report from this Departmeut, the action of the Board of Regents in reference to the organization of the fourth department of the University was referred to.—It is the declared design of the Board to make the said department the Normal School of the State; and in addition to the professional instruction thus rendered, to offer gratuitously to all the members of the successive classes of teachers, access to the other departments of the University—to the collections of natural science, and the use of books and apparatus. As the University has been made by act of Legislation, and by ordinance of the Board in conformity therewith, a part of the system of public instruction for the State, it remains only to carry into execution what has been so happily designed and so well begun. The Regents in their last report detailed their plan for the organization of this Normal department, and there can be no question that that plan is wisely adapted to the wants of the public schools of the State.

The Regents have proceeded to lay the foundation of a large and commodious building for the uses of this Normal department, and if the means can be provided, will erect the superstructure next season, and open it for the reception of a teacher's class in the spring of 1852. Owing to the limited sales of the University lands during the past year, the Regents may be constrained to defer to a later day the completion of the building, and the organization of the Faculty of Normal instruction, unless aid be obtained from some other source. The Constitution of the State has pointed to the

source from which this aid may be properly derived, by providing in the article on "Education" that the revenue of the school fund shall be applied—

1st. To the support and maintenance of common schools.

2d. To the support and maintenance of Academies and Normal Schools, and suitable libraries and apparatus therefor.

In consideration of the exigencies of the public schools—the imperative demand for Normal instruction, and the probable inadequacy of the available means of the University to provide for the seasonable supply of that demand, I would respectfully suggest for the consideration of the legislature, the policy of aiding the Regents in the completion of the Normal school building already begun, and of making an appropriation from the annual revenue of the school fund, of a sum sufficient to defray the current expenses of Normal instruction therein, until the University shall be able to assume the burden for the benefit of the common schools of the state.

The subject of Teacher's Institutes was presented in the last report from this department. I have nothing here to add to what was there said on that subject.

E. ROOT,
STATE SUPERINTENDENT.

ABSTRACT

Of Reports of Clerks of the Boards of Supervisors of the several Counties of Wisconsin, for the Year ending August 31, 1850.

COUNTIES.	No. of Towns in County.	No. of Towns which have not reported.	No of School Districts in Reporting Towns.	No. of parts of Districts.	No. of districts which have not reported.	No. of parts of Districts which have not reported.	Average No. of months Schools have been taught.	Am't of Public Money received.	No. of Children between 4 and 20 years of age who have attended School.	No. of Children between 4 and 20 years of age residing in County.	No. of Male Children between 4 and 20 years of age residing in county.	No. of Female Children between 4 and 20 years of age, residing in county.	No. of Children under the age of four, who have attended School.	No. of Children over the age of twenty who have attended School.	Average No. of months Children between four and twenty have attended school.	Average No. of months schools have been taught by male Teachers.	Average No. of months schools have been taught by female Teachers.	Average monthly wages paid to male Teachers.	Average monthly wages paid to Female Teachers.	Time lost in Schools by Tardiness.	Time lost by occasional absence.	Whole amount of money received.	Whole amount received from County Treasurer.	Whole amount received from Town Treasurer.	Whole amount received from other sources.	Amount expended for Teacher's Wages.	Amount expended for Libraries.	Amount expended for other purposes.	Amount remaining unexpended.
								$ CTS.										$ CTS	$ CTS	DAYS	DAYS.	$ CTS.	$ CTS	$ CTS	$ CTS.	$ CTS	$ CTS	$ CTS	$ CTS
Brown,	12	5	25	1	7	*	3.21	00 00	480	1491	732	759	7	3	5.50	3.33	3.00	15 26	11 48	340	345	1210 82	0,00	1275,82	151,00	1150,60	* *	459,59	21,44
Calumet,	4	2	7	0	1	0	6.38	267 75	275	376	186	190	9	0	6.50	4.13	5.63	13 67	7 00	61	8470	267 85	44,80	223,05	0,00	263,19	0,00	4,16	0,00
Columbia,	17	0	71	27	20	5	4.32	2024 95	1553	2388	1247	1141	52	21	4.37	2.72	4.94	13 99	6 92	665	3190	2276 23	327,81	1383,11	106,72	1607,90	0,00	161,75	349,42
Crawford,	4	1	20	6	8	0	4.30	366 96	155	414	215	199	0	0	5.00	2.10	3.40	11 58	10 56	40	90	548 57	12,00	31,55	40,00	412,00	0,00	† †	† †
Dane,	31	2	130	32	31	4	4.58	3697 99	3566	5328	2724	2604	87	78	3.95	2.62	3.53	14 22	6 99	854	9311	5089 44	1305,65	1508,65	* *	1860,40	* *	134 00	293,09
Dodge,	23	0	135	53	29	5	3.80	5371 35	4317	6326	3384	2942	110	59	4.28	2.75	4.00	14 12	6 46	721	17562	4572 12	395,28	3908,39	763,56	3215,60	* *	10,80	756,97
Fond du Lac,	18	0	101	40	41	1	4.36	2804 81	3282	4199	2281	1918	40	36	3.71	2.76	3.66	14 66	6 68	154	179	3409 30	1239,10	1089,72	626,33	2318,37	18,25	76,44	265,21
Grant,	16	0	95	23	20	4	5.16	5508 86	3278	4974	2571	2403	19	18	4.52	3.15	2.74	20 29	10 69	611	7934	5256 82	589,60	4525,82	55,30	4023,29	* *	27,58	627,86
Green,	16	2	74	29	31	14	4.14	2040 09	2128	2684	1357	1327	28	41	2.39	2.41	2.53	14 69	7 13	121	*	1916 53	19,55	1713,63	* *	1662,06	" "	† †	101,89
Iowa,	11	1	51	4	21	2	4.33	1866 77	1465	2342	1209	1133	15	8	3.15	3.25	3.19	21 84	11 44	1105	4410	3876 01	12,78	2086,44	1776,69	1781,70	0,00	1267,61	826,60
Jefferson,	15	0	88	49	17	12	6.63	3115 57	3581	4965	2551	2414	64	24	4.44	3.59	4.30	15 17	6 96	4689	97367	3324 70	325,97	2829,48	73,31	3229,08	† †	† †	208,12
Kenosha,	9	0	61	22	14	8	6.99	3098 60	2992	3841	1941	1900	34	32	5.27	3.10	3.70	21 55	8 88	47	3073	3426 91	1051,09	1645,66	75,00	2589,18	0,00	109,17	79,27
La Fayette,	15	2	64	17	16	7	5.03	2351 10	1822	2817	1465	1352	14	13	3.58	4.03	3.86	19 70	10 21	222	6661	2881 60	434,97	1377,43	102,53	2015,67	11,70	538,75	182,75
Manitowoc,	6	4	3	*	*	*	7.00	118 00	90	169	79	90	5	*	5.00	3.00	4.00	22 00	11 50	3	20	118 00	* *	118,00	* *	202,00	† †	† †	† †
Marquette,	10	0	50	17	19	5	4.82	* *	1249	1532	792	740	39	*	*	*	*	13 14	6 65	*	*	2118 23	* *	* *	* †	974,65	† †	213,85	† †
Milwaukee,	8	0	62	10	6	1	5.88	3212 37	2507	9836	4887	4949	33	12	5.38	3.92	3.82	17 04	9 90	274	2212	3222 64	116,49	2917,31	188,18	2753,36	† †	† †	230,09
Portage,	3	1	2	00	2	0	5.00	00 00	91	112	58	54	0	0	3.75	2.00	3.00	40 00	14 00	8	452	125 00	0,00	0,00	125,00	60,00	0,00	65,00	0.00
Racine,	10	0	69	31	14	5	6.65	3416 18	3710	4806	2474	2332	43	56	5.26	3.13	3.66	16 28	8 17	198	302	2948 67	23,79	2987,68	106,50	2250.83	26,00	4,24	115,01
Richland,	3	0	10	00	8	0	1.78	1 14	62	283	151	132	0	0	1.39	0.00	1,28	00 00	13 00	00	521	83 79	0,00	62,00	20,65	63,14	0,00	0,00	20.65
Rock,	20	0	104	82	13	15	6.09	8962 87	5950	7486	3899	3587	110	104	5.00	2.98	4.15	15 15	6 84	1025	20269	3078 79	923,41	7816,37	526,41	8183,78	* *	157,50	1042,99
St. Croix,	3	2	2	0	1	0	3.00	00 00	24	38	21	17	3	0	3.00	0.00	3.00	00 00	16 00	3	10	00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
Sauk,	9	1	37	7	16	*	4.13	990 50	883	1384	706	678	19	6	3.75	2.13	2,89	14 63	8 05	165	606	1128 07	61,04	* *	961,05	715,56	* *	† †	212,16
Sheboygan,	12	0	71	18	+	2	5.35	2764 65	2054	2914	1505	1409	61	13	4.55	3.01	5.27	17 91	7 29	1049	10380	1831 39	520,65	1081,68	49,53	1041,33	* *	† †	4,90
Walworth,	17	0	100	66	7	3	6.73	7802 28	6036	6633	3427	3206	103	87	4.91	2,90	4,28	16 59	7 50	1178	32595	7671 37	409,43	6788,49	746,51	6945,75	0,00	368,65	899,68
Washington,	20	1	114	32	26	3	3.59	* *	3392	6024	3193	2831	63	11	4.55	3.78	3,97	15 04	8 07	310	1611	4629 54	2285,75	2238,81	5,00	3861,26	14,88	79,52	420,83
Waukesha,	16	0	101	57	19	9	6.06	4350 07	4957	6364	3244	3120	49	60	4.06	3.46	4.07	14 73	7 66	925	2122	4000 63	* *	4095,07	542,79	5092,45	* *	† †	† †
Winnebago,	11	0	53	27	15	9	4.44	1471 40	1698	2321	1178	1143	15	6	4.25	2.67	3.95	15 37	7 49	45	490	1554 65	1009,65	406,89	0,00	146[illegible],44	0,00	0,00	123,92
STATE,	339	24	1700	650	405	114	4.96	65604 26	61597	92047	47477	44570	1020	688	4.31	2.80	3.69	17 14	9 02	14816	230162	76567 67	11108,81	52111,05	7042,06	59741,59	70,83	3678,61	6782,8[illegible]

*†Not Reported.

A.

ABSTRACT

Of Reports of Clerks of the Boards of Supervisors of the several Counties of Wisconsin, for the Year ending August 31, 1850.—Continued.

COUNTIES.	Amount raised by tax and expended for Teachers' Wages.	Amount raised by tax, and expended on School Houses.	Amount raised by tax and expended for Libraries.	Amount raised by tax and expended for fuel and other purposes.	Names of Authors of Grammars most used in Schools.	Names of Authors of Arithmetics most used in Schools.	Names of Authors of Reading Books most used in Schools.	Names of Authors of Spelling Books most used in Schools.	Names of Authors of Geographies most used in Schools.	Whole valuation of School Houses.	Number of Brick School Houses.	Number of Stone School Houses.	Number of Log School Houses.	Number of Frame School Houses.	Highest valuation of any School House.	Lowest valuation of any School House.	Number of School House sites containing less than one acre.	Number of School House sites unenclosed.	Number of School Houses without separate privies for the different sexes.	Number of School Houses without Black Boards.	Number of School Houses without maps.	Number of Select and Private Schools other than Incorporated Academies.	Average annual Number of Pupils in such Schools.	Number of Incorporated Academies.	Average annual number of Pupils in such Academies.
	$ CTS	$ CTS	$ CTS	$ CTS						$ CTS					$ CTS	$ CTS									
Brown,	778 49	53 00	* *	* *	Brown, Smith.	Ray,	M'Guffy.	Webster.	Morse,	90 00	†	‡	1	‡	50 00	40 00	‡	‡	‡	‡	‡	1	25	§	§
Calumet,	17 00	154 88	0 00	20 57	Brown.	Adams,	Sanders, Town.	Webster,	Parley,	550 00	0	0	4	1	250	25	6	2	2	5	6	0	0	§	0
Columbia,	425 25	1566 34	0 00	81 07	Brown.	Adams,	Sanders,	Webster.	Smith, Olney,	2776 00	0	0	20	13	400	8	23	26	27	16	27	‡	§	§	§
Crawford,	53 00	185 00	* *	* *	Brown, Smith, Kirkham.	Adams, Thom'n, Smith.	McGuffy.	Webster,	Smith, Morse,	425 00	†	0	5	1	200	25	‡	‡	‡	1	1	‡	§	§	§
Dane,	879 14	2726 75	* *	101 75	Brown,	Adams.	Sanders,	Webster,	Olney,	6904 70	2	5	47	23	1000	10	72	74	67	31	46	12	26	§	§
Dodge,	1737 39	5505 18	* *	159 40	Brown, Smith.	Adams.	Sanders,	Webster,	Morse,	13047 90	†	3	56	49	358	18	97	105	101	59	91	‡	§	0	§
Fond du Lac,	1531 02	4586 98	45 89	60 90	Brown.	Adams.	Sanders,	Webster,	Morse,	†	†	1	51	23	300	5	51	36	53	40	58	7	40	1	100
Grant,	1687 02	1298 81	* *	101 75	Smith.	Smith.	McGuffy	Webster,	Smith, Olney,	8604 91	6	†	26	21	1000	4	33	45	44	37	44	10	38	1	50
Green,	568 90	1229 81	* *	47 00	Kirkham.	Adams.	Sanders.	Webster,	Olney,	3366 00	†	7	31	8	300	5	27	34	26	17	28	2	35	§	§
Iowa,	485 62	1124 95	0 00	142 76	Smith.	Smith.	McGuffy	Webster	Smith,	2005 00	0	1	15	5	500	15	19	23	23	18	22	2	50	§	§
Jefferson,	1422 24	2506 67	* *	256 76	Kirkham,	Adams.	Sanders.	Webster	Olney,	8294 00	6	†	35	34	400	1	71	67	67	32	61	5	59	0	0
Kenosha,	4521-03	1644 57	* *	955 35	Brown, Wells.	Thompson.	Sanders.	Saunders.	Morse,	15647 80	1	0	7	42	5000	5	42	49	44	9	36	3	30	0	0
La Fayette,	717 86	982 97	11 70	95 32	Smith.	Adams, Smith.	Sanders, McGuffy.	Webster,	Smith,	2868 00	3	3	15	18	245	20	12	17	22	17	24	4	44	§	‖
Manitowoc,	* *	540 96	30 00	220 00	*	†	Sanders,	Sanders,	Smith,	1000 00	†	‡	‡	3	800	450	2	‡	1	‡	2	1	25	§	‖
Marquette,	* *	959 00	30 00	83 95	Brown.	Adams.	Sanders,	Webster,	Morse,	3080 50	†	*	‡	‡	‡	‡	‡	‡	‡	‡	‡	4	16	§	‖
Milwaukee,	730 85	1737 28	* *	45 52	Smith.	Adams.	M'Guffy,	Webster, McGuffy,	Morse, Mitchell,	31345 65	5	‡	36	19	5000	5	57	56	49	30	45	§	§	0	0
Racine,	60 00	65 00	0 00	0 00	Kirkham.	Adams, Smith.	McGuffy.	†	Morse, Mitchell,	600 00	0	0	0	1	600	600	1	1	1	0	1	0	0	§	‖
Rock,	3108 60	1701 30	* *	413 18	Br'n, Smith, K'm, Wells.	Adm's, Colb'n, Tho'n, S.	Sanders, McGuffy.	Sanders, McGuffy,	Morse, Olney, Smith.	9039 00	4	2	10	53	400	25	66	63	62	43	76	6	53	§	‖
Richland,	* *	0 00	0 00	0 00	Smith.	Adams.	McGuffy,	Webster,	Morse.	25 00	0	0	1	0	25	25	2	‡	1	1	1	0	0	§	‖
Sauk,	1553 70	5774 71	* *	353 66	Brown.	Adams.	Smith.	Webster,	Morse.	18571 05	8	18	38	50	3000	0 05	121	119	111	55	105	7	33	§	‖
St. Croix,	48 00	0 00	0 00	8 00	†	†	†	†	†	†	†	‡	‡	‡	‡	‡	‡	‡	‡	‡	‡	§	§	§	‖
Sauk,	378 00	300 43	* *	133 77	Brown,	Adams.	Sanders, McGuffy,	Sanders,	Morse.	2010 00	*	‡	13	7	950	5	6	12	12	8	12	§	§	§	‖
Shebogan,	742 65	2193 32	* *	25 69	Brown,	Adams.	‡	Webster,	Smith.	4161 75	†	‡	20	14	400	‡	41	40	43	29	29	5	38	§	‖
Walworth,	2508 01	5996 73	20 00	467 31	Brown,	Adams.	Sanders,	Webster,	Morse.	19273 35	2	8	15	95	1000	1 61	104	111	92	41	101	11	44	§	‖
Washington,	640 32	1046 24	* *	8 75	Brown,	Adams.	Sanders,	Webster,	Morse.	6462 00	1	‡	71	12	900	5	78	78	78	62	75	5	58	§	‖
Waukesha,	2261 82	1965 63	* *	331 85	Brown,	Adams.	Sanders,	Webster,	Morse.	11089 00	†	3	31	35	500	5	73	67	60	35	61	§	§	§	‖
Winnebago,	1109 04	1325 00	0 00	34 97	Smith.	Adams.	Sanders,	Sanders, Webster,	Morse, Olney.	2050 00	0	0	20	13	800	50	21	22	16	9	17	2	§	0	0
State,	27968 55	47171 51	137 59	4149 28	Brown.	Adams.	Sanders.	Webster.	Morse.	173246 67	38	51	568	540	5000 00	0 05	1025	1047	1002	595	969	87	39	2	75

*†‡§‖ Not Reported.

"B."

LIST OF BOOKS PURCHASED FOR THE OFFICE OF THE STATE SUPERINTENDENT UNDER ACT, APPROVED FEB. 9, 1850.

WILLM—Essai sur l'education du people,	1 vol.	$1	50
COUSIN—de l'instruction publique dans quelques pays de l'Allemagne et particulierement en Prusse,	2 vols.	2	26
do Etat de l'instruction primaire dans le Royaume de Prusse,	1 vol.		56
do Memoire sur l'instruction secondaire dans le Royaume de Prusse,	1 vol.	1	25
do de l'instruction publique en Hollande,	1 vol.	1	88
LEVRAULT—Guide pratique de l'instituteur primaire,	1 vol.	1	00
QUETELET—Sur l'homme et le developpement de ses faculties ou Essai de Physique sociale,	2 vols.	4	63
RENDU*—de l'instruction secondaire,	2 vols.	3	25
SAUVAN*—Cours normal des institutrices primaires,	1 vol.	1	50
PASSY*—de l'instruction secondaire en France de ses defauts, &c,,	1 vol.	0	60
SARAZIN*—Manuel des Ecoles Elementaires d'enseignement mutuel,	1 vol.	2	50
RENDU*—Cours de Pedagogie,	1 vol.	0	70
SALMON—Conferences sur les devoirs des instituteurs primaires,	1 vol.	0	85
STODDART—Philosophy of Language	1 vol.	1	50
WHATELY—Logic.	1 vol.	1	00
do Rhetoric,	1 vol.	1	25
BRANDE—Encyclopaedia of Science, Literature and Art,	1 vol.	4	50
McCULLOCH—Universal Gazetteer,	2 vols.	7	00
WEBSTER—Dictionary,	1 vol.	6	50
WORCESTER—Dictionary,	1 vol.	4	00
SPURZHEIM—Education,	1 vol.	1	00
EDGEWORTH—Practical Education,	2 vols.	3	00
		$52	22

*Not yet received.

"C."

SECRETARY'S OFFICE,
Madison, Dec. 31, 1850.

HON. E. ROOT, *State Supt.*,

SIR:

I have the honor to acknowledge the receipt of your communication of this date, requesting information relative to the school fund. In reply I have to inform you that the school fund of this state amounts this day to the sum of $538,094 41. This amount is made up of the following, viz:

Due on lands sold, on which interest will be due, in January 1851, the sum of	$386,647 81
Due on Racine city section, on which interest will be due in June next,	57,761 95
Loaned on Bond and Mortgage, on which interest will be due from May to Dec. next	88,391 20
In treasury subject to loan,	5,293 45
	$538,094 41

In Treasury subject to apportionment in 1851, $20,651 42. Interest due in January 1851, and subject to apportionment in 1851, $27,065 35, making in all the sum of $47,716 77 subject to be apportioned in 1851.

Of the amount before given as the fund, the sum of $22,537 56 was received from U. S. on account of the 5 per centum on the sales of the public lands, the sum of $143.09 from fines, and $200 00 for forfeitures. All other is the proceeds arising from the sale of lands.

Very respectfully,
Your obedient servant,
(Signed) WM. A. BARSTOW,
Secretary of State.

SUPPLEMENTARY REPORT
OF THE
STATE SUPERINTENDENT
OF
PUBLIC INSTRUCTION.

Supplementary to report on apportionment of school mouies.

OFFICE OF PUBLIC INSTRUCTION,
MADISON, WIS., Mar., 4th, 1851

To His Excellency, Nelson Dewey, Governor :

SIR :—

I have the honor herewith to transmit a report supplementary to mine of the 10th ult., relating to the apportionment of the income of the school fund.

Rery Respectfully
Your Ob't servant,
E. ROOT,
State Sup't.

DOCUMENT "D."

OFFICE OF PUBLIC INSTRUCTION,
MADISON, Wis., Mar., 4th, 1851.

To the Hon., the Legislature :—

The undersigned, State Superintendent, has the honor herewith to submit a report supplementary to his report of the apportionment of the income of the school fund, under date Feb., 10th, 1851.

The act of the present session, "to apportion to the counties of Marquette and St. Croix their proportions of the school fund," approved Feb., 27th, 1851, was duly certified to this office by the Secretary of State, and I have only waited for returns from those counties, to take the proper action.

A communication herewith annexed, marked A., was yesterday received from the county clerk of Supervisors of St., Croix county, announcing that no school tax had been levied in that county ; therefore, under no existing law can an apportionment be made to that county, and its share, ($19 31,) reverts to the capital of the fund.

The county clerk of supervisors of Marquette county, reports a school tax of $1547 35, making the total school tax of the State, $14,534 30. The apportionment to this county is herewith annexed, marked B. and is duly certified to the State Treasurer and the proper county officer under this date.

Respectfully submitted,

E. ROOT,
State Sup't.

A.

WILLOW RIVER, Feb. 8, 1851.

Dear sir :—

Yours of Jan. 13th, duly came to hand; in answer to which I have only to say, that our Board of County Supervisors neglected to levy a school tax. Therefore, the cause of no report from St. Croix county. Regretting that such is the case &c.

Yours most respectfully,

HON E. ROOT, *State Sup't.*

JAS. M. BAILEY, *Cl'k B. of Co., Sup's,*

B.

Appportionments of the income of the school fund to Marquette County.

Names of Towms.	*No. of children between 4 & 20 years of age.*	*Apportionm't p'r town.*
Albany,	107	$ 54 38
Berlin,	274	139 25
Brooklyn,	203,	103 16
Buffalo,	33	16 77
Green Lake,	242	122 98
Kingston,	194	98 59
Mackford	95	48 28
Marquette,	48	24 39
Middletown,	113	57 42
Pleasant Valley,	223	113 33
Total,		$778 55

THIRD ANNUAL REPORT

OF THE

BOARD OF REGENTS

OF THE

UNIVERSITY OF WISCONSIN.

DOCUMENT "E."

REPORT.

To His Excellency, Nelson Dewey, Governor of the State of Wisconsin.

The Regents of the University, as directed by law, make this their third annual

REPORT.

In the administration of the trust committed to their care and supervision, the Board have been during the past year, actuated by a sincere desire to present this great interest in such conditions of progress and promise, as would not fail to inspire the hope, and command the confidence of the State, and of the friends of education at home and abroad.

1. *Educational documents.*

Prompted by this desire, the board were not disposed to overlook the importance of disseminating general information relative to the plan of the University, the organization of the several Faculties, the proposed connexion of the University with the other educational agencies of the state, and the competency of the fund, in its present and prospective value, to enable the University of Wisconsin to occupy the ground, and to accomplish the ends contemplated by the Board.

It was deemed a matter of special interest to commend to the favorable judgement of the mind of Wisconsin, and to the attention of the friends of education elsewhere, the new feature embodied in the original organization of the University, the department, namely, for the gratuitous instruction of the teachers of the public schools of the State—a feature which brings the University into harmony with the whole system, and renders it, as a State Institution should be a working agent in the great cause of popular education.

With this view, the Executive committee, under sanction of the Board, authorized the publication in a form adapted to general circulation, of the Educational Documents of Wisconsin. for the year 1850. The volume embraces the addresses at the inauguration of the Chancellor, the second annual report of the Board of Regents, and the report of the Superintendent of Public Instruction.

The Board are satisfied that the impressions made by the perusal of these documents, at home and abroad, has been favorable to our educational system and honorable to Wisconsin. At home there is a better understanding and appreciation of the system, and abroad a greater confidence in the right working of the powerful agencies in the hands of the State, intended to advance the intellectual, moral and social well-being of our people.

The Board have had occasion to know, that the information thus disseminated, relative to the educational prospects of Wisconsin, has not been without its appropriate influence in attracting the immigration of men and capital to the State.

Abundant testimonials have come back to us, of the favor with which our systemis regarded by the friends of education abroad ; and it is with peculiar gratification that the Board have seen it announced, that the corporation of Brown University contemplate opening as a distinct improvement on their present system, a Normal Department for the professional instruction of teachers.

In accordance with what is believed to be the general wish of the teachers of Wisconsin, the Board deem it proper to express the hope that such legislative aid may be rendered as may be necessary to enable them to organize the Faculty of the Theory and Practice of Elementary Instruction, and to open the Department for the reception of a teacher's class. as early as the spring of 1852.

2. *Buildings and Grounds*

The board, at their meeting on the 16th day of January, authorized the Building Committee to proceed to the erection of

one of the five edifices contemplated in the plan as adopted at the same meeting, and reported to the Legislature at their last session.

In order to a full understanding of the action of the committee under the order of the Board, and the progress of the work, reference is respectfully made to the committee's annual report to the Board—Document marked "B," in the Appendix to this report.

It is the opinion of the Board from the evidence before them, that the contracts have been made with a due regard to economy, that the work, thus far, has been generally well executed, and that the building, when completed, will compare favorably with the first class of collegiate structures in the country.

The fourth story of the edifice is for the most part distributed into public rooms for Recitation, Lecture, Library, Cabinet, &c., and will thus be occupied until the erection of the central building. The first, second and third stories are divided into twenty-four rooms for study—with bed rooms and closet annexed to each study—intended for the residence of students; a use to which also the fourth story is ultimately destined. The building will be ready for occupation on or before the first day of June, 1851, and with the other structures hereafter to be erected on the north side of the principal avenue, will be devoted to the uses of the Department of Science, Literature and Arts.

The Board further provided for the laying of the basement wall of a second edifice of the same dimensions with the former, on the south side of the principal avenue.

The work has been executed in a very satisfactory manner, and thoroughly protected from damage from exposure to the weather. The walls are securely covered, and sufficient of ditching and embankment has been done to turn water from the foundations of the walls, internal as well as external, and to place them beyond the reach of frost.

This building is intended for the uses of the Normal De-

partment; and the Board deem it highly important to the educational interests of the state that the superstructure should be erected during the next season, and be ready for the reception of a class of teachers early in the spring of 1852.

While the State is rapidly advancing to an early maturity in population and in physical wealth, it is the purpose as well as the duty of the Board, to make a diligent use of the means placed at their disposal, to bring the educationnl agencies of the State to a maturity equally early, in order that the elements of physical prosperity so rapidly multiplying around us may not be left to minister to misguided and corrupting influences, but may be best directed to the production of the more elevated forms of well-being—to the intellectual, to the moral and to the social good of our citizens—to the high character of our state at home, and its reputation abroad.

It is in accordance with these views that the Board is disposed, by the erection of the necessary structures, to give early force and effect to that wise provision in the charter of the University, for a Department of the "Theory and Practice of Elementary Instruction," whose especial office and duty it shall be, to contribute, by its instructions, to the better professional education of the Teachers of the Public Schools of the State.

After the completion of the two buildings above mentioned, —one for the Collegiate, and the other for the Normal Department—it is the judgment of the Board, that the construction of the plan be suspended until such time as the income of the institution shall be sufficient to meet the annual disbursements of the Board, and provide a sinking fund for the discharge of any indebtedness which may have been contracted in the erection of the two edifices.

The University site comprises an area of about fifty acres, much the larger portion of which was not contained in the quarter section first purchased by the board. The ownership of the whole area has been secured, and the conveyances necessary to perfect the title, have been, or soon will be, made.

It is a part of the standing duty of the building committee, to preserve and improve the University grounds. By reference to the latter part of the report of said committee, Document "B" in the Appendix—it will be seen that the protection and ornament of th e site are commanding due attention. In devising the plan of building and improvement, regard was had to the natural capabilities of the location, both useful and ornamental; and to the proper developement of these, the attention of the board will be steadily directed.

At a meeting of the Board in July last, S. Mills, Esq., was appointed a Commissioner, with full powers to lay out into village and outer lots—all the quarter section owned by the Board, not included within the University site; and to negotiate contracts relative to the disposal of the same for the benefit of the University.

The Report of the Commissioner, (Document marked "D" in the Appendix,) to which reference is respectfully made, furnishes all necessary details relative to the survey, the number, and the value of the lots. A small portion of the plat has already been disposed of in exchange for portions of the site and for other beneficial uses. The board deem it sound policy to make sales exclusively to such as may purchase with a view to immediate improvement, and thus enhance the value of the residue. By pursuing this policy, a sum will ultimately be realized from these sales, sufficient, as the board confidently believe, to replace the advance which may be necessary to enable them to erect, on the foundation already laid, the second Dormitory building, during the next year—a work which, in the judgment of the board ought not to be denied to the educational wants of Wisconsin.

3. *Department of Science, Literature and Arts.*

The Preparatory School connected with this depertment has been in successful operation during the past year. Although designed mainly for the instruction of Classical Studentss the school is open to young men pursuing the branches usually taught in English High Schools, without reference to the

regular collegiate course. (See Document marked "E" in the Appendix.)

At the beginning of the session now in progress, one Collegiate class was organized, and is now pursuing the regular course of study prescribed in order to graduation. The yearly organization of an additional collegiate class will impose upon the board the duty of making appointments, as the wants of the classes may require, to the chairs of instruction established by their Ordinance providing for the organization of the Faculty of Science, Literature and Arts, set forth in their second Annual Report.

The real wants of the Institution, in this behalf, must be promptly met as they arise. Although the earlier classes, in a new Institution in a new country, cannot be expected to compare in numbers with those of older colleges, it would be neither sound economy nor sound judgment, on that account, to limit and debase its instructions, with no other result than to let down its position, and to devolve on future years the expenditure and the effort necessary to restore it to that rank in the educational economy which its name imports, and which it ought to have vindicated to itself from the beginning.

It is the judgment of the board, however, that the exigencies of the University will not require the appointment, during the coming year, of any permanent officer to either of the vacant chairs in the collegiate department. It has been deemed sufficient to grant to the Executive Committee the discretion of employing a temporary tutor, in case the amount and the grade of instruction called for by the classes in attendance, should impose on the institution the manifest duty of making such provision.

The new University edifice will be ready for the accommodation of the collegiate department, on or before the first of June 1851. A boarding house, capable of seating at its tables fifty students, will be erected, by private enterprise, on ground conveyed by the board for that purpose, in the immediate vicinity of the University site. It is the fixed purpose of the

board to remove all objection to the patronage of the Institution, arising from the difficulty of procuring board at moderate rates.

When accommodations shall be thus offered to students, of lodging and study rooms in the edifice, and of board on reasonable terms, in the neighborhood, or in town, as may be preferred by the parent or guardian, the Institution will be prepared to command a more extended patronage, and to meet more fully and successfully those educational wants of the community, which lie within the scope of the Department of of Science, Literature and Arts. The chairs of instruction, created by the Ordinance embodied in the Second Annual report of the Board, will be filled, as the patronage of the institution and the condition of the Treasury will justify.

4. *Normal Department.*

The Charter of the University contemplates a Faculty of the Theory, and Practice of Elementary Instruction." The Ordinance of the board, setting forth the plan of organization of said Faculty, was embraced in their last Annual Report.

The idea embodied in the organic law of our institution of making the State University, subsidiary to the Public schools of the state, by charging it with the gratuitous education of Teachers, has met with distinguished favor at home and abroad. The Board are free to express the conviction, that the well-being of the state will be greatly subserved by the harmonious and conspiring action of all its educational agencies: and in this conviction they are fortified by the interest felt in the system by the Teachers of the State, and by the consideration it is obtaining among those who are interested in educational reforms abroad.

It is not to be admitted that Wisconsin will be slow to realize in practice this valuable idea, which she was the first to announce in the organic law of her University, and it is with a view to give early force and effect to this wise organic provision, that the board propose to erect, during the year 1851, on the foundation already laid, the second University Edifice, for

the especial use and benefit of the Normal Department.

Should the state of the treasury be such as to enable the board to accomplish this valuable object, the Chair of Normal Instruction will be filled, and the first session of the department will be opened by the formation of a Teacher's class in the spring of 1852.

An outline of the plan of this Department of the University was set forth in the last Annual Report of the board. In maturing and arranging the details of the plan, in order to adapt it in the best way to the system of Public Instruction in the state, the board will give due weight and consideration to all suggestions and recommendations of that department. It is, and will continue to be, the purpose of the board to bring the University into harmony with a wisely arranged system of Universal Education, and the views of the Superintendent of Public Instruction on this topic, which it may be presumed will occupy their proper place in the public Documents rssued from that office, will lead and qualify the deliberations of the board in arranging the permanent relations of the Normal Department of the University to the Public Schools of the State.

It is proper to add in this connexion, that the plan contemplates the admission of female as well as male teachers to all the advantages of the Normal Department of the University—and offers to the members of the teachers class, without fee or reward, access to the instructions of the other Departments. and the use of books and apparatus in connexion with the regular classes.

The plan further contemplates the opening of a Model School in the village of Madison, to be conducted in connexion with the Normal Department. With the consent and cooperation of the resident citizens, it is believed that, without burdening the University funds, an edifice may be provided, on a scale sufficiently extensive, to receive and to classify, in its several apartments, all the children within the age of common school instruction, in the vicinage. Such school, under

the general supervision of the Normal Professor, with a head Instructor well versed in the Normal system, and in the most approved methods suggested by modern experience, will not only serve as a valuable model for the union schools of the state, but by employing the assistance of members of the teacher's class and admitting them to an observation of its processes, will furnish to them the best practical illustration of the professional instructions of this Department of the University.

To realize the broad idea, of giving to the organization of this Department such extent and completeness, as to render it adequate to the dispensation of all the Normal instruction necessary to the service of the public schools of the entire state, would doubtless require a larger outlay in buildings and apparatus, and a larger annual appropriation, than the board would be justified in withdrawing from the uses of the other Departments, without a considerable addition to the existing endowment of the Institution. The conviction may, however, be freely expressed, that a single Normal organization like the one we are contemplating, complete in its appointments, and ample in its resources, would accomplish far more for the education of Wisconsin, than a plurality of Normal Institutes, involving the same aggregate expenditure, could do—incomplete, as they necessarily must be, in their arrangements, and unaccompanied by the collateral instructions and other advantages of the University.

It is well worth consideration whether, through the future bounty of the General Government in the administration of the public lands, or from other sources, the means of the University may not be so enlarged as to enable the board to fill their conception of the Normal Department, and through its action in elevating the standard of qualification in the teacher, and imparting a more liberal character to the instruction of the public schools, to make it "the central point of union and harmony to the educational interests of the commonwealth."

5. *Department of Medicine.*

The organization of a Medical Faculty, as a department of the University, is under advisement. It is, however, to be understood that no portion of the income of the University will be applied to the support of such Faculty if organized, until full provision shall have been made for the support of the Collegiate and Normal Departments.

The emoluments of the professorships will be derived wholly from fees of tuition for some time to come. And it will be worthy of consideration hereafter, whether the pecuniary aid which the board may be able to render to the Medical department, should not be wholly appropriated to the Library, to the Laboratory, and to the scientific preparations and collections connected with the several Professorships—to the intent, not of diminishing the fees of tuition, but of affording a higher style of professional education, at the same cost to the student.

It may be regarded as well settled, that in the location of Medical schools, due regard should be had to the facilities for anatomical and clinical instruction. The question of the proper location of the Medical department of the University, the board have as yet had no occasion to decide. In this matter they will give due weight to the preliminary action of the Profession, and to the degree of enlightened liberality with which the subject of the location may be entertained by the larger towns of the State.

6. *Department of Law.*

No steps have have been taken in reference to the organization of a Faculty of Law since the date of the last annual report. The board are not unmindful of the fact that the Charter of the University contemplates the organization of such faculty; and at the proper time the necessary provisions will be made by ordinance to give effect to the legislative will in this behalf.

In the meantime, the attention of the Court and Bar has

been called to the subject, and with their advice and co-operation the board will be able to perfect the plan of a Law Department which shall promote the public good by meeting successfully the educational wants of the profession.

So long as the income of the University shall be required to provide for the uses of the Collegiate and Normal Departments no pecuniary support can be extended to the Professorships in the Department of Law. In the accumulation of a University Library, however, due regard will be had to its professional character, and in the organization of the Faculty of Science, Literature and Arts, provision has been made for instruction in the Science of Government, and in Political Economy—subjects of importance to the American Lawyer, and properly a portion of his Professional Education.

7. *Application of Science to the Useful Arts.*

The seventy two sections of land donated by the General Government to the state in trust for the University, will at the minimum price fixed by the last legislature, produce a sufficient fund for the support of the several departments above named; and there is evidence that the market value of the lands will soon reach this minimum.

Owing to her singular physical advantages, Wisconsin is destined to mature much more rapidly than even the most prosperous of the new states heretofore formed out of the National Domain; and a like appreciation of its choice lands may be safely expected. Looking forward to the means of usefulness soon to be realized by the University, the board cannot but regret that the annual revenue of the Institution is bound to labor under the burden of erecting the needful structures for some years to come. Could the Board look to another fund for building purposes, the existing endowment would enable them, at a much earlier day, to complete the organization of each Department, and to realize the hope, which Wisconsin has a right to entertain, of the early growth as well as the eminent usefulness of her University.

The board have another reason for looking beyond the pres-

ent endowment. The applications of the Sciences to the useful arts, including every industrial occupation which ministers to the well-being of society, have become too numerous and too important to be neglected in any wisely constructed system of general education.

It needs no argument to satisfy the most casual observer, that the position which nations and communities are destined to take in the scale of modern civilization, must depend, in a very great degree, on the extent to which science guides the hand of production and regulates the processes of trade.

The economical history of the last fifty years has been overwhelming in its demonstrations, that science multiplies the productiveness of labor in all the mechanic arts; that it cheapens the cost of the construction, and of the service of all classes of commercial agency; that it imparts a vivifying energy to the agricultural elements, enlarging the yield, and adapting its varied results to the calls of an advancing civilization—transmuting the sweat of the husbandman's brow, not into that bread alone which goes to the sustenance of the animal nature, but into aliment for the growth of his intellectual, moral and social being.

The inference which may be very fairly drawn from these statements is, that a State University cannot now be regarded as entire in its plan and design, without the organization of a Department of the Practical Applications of Science.

The Chairs of instruction in such Department, should be sufficiently numerous, and the scope of each sufficiently extensive, to cover the whole ground of the Philosophy of the Useful Arts, and to afford ample opportunity to the young men of the State, whether graduates of the other Departments or not, to prepare themselves in the best manner, for the intelligent prosecution of their several arts, and for the skilful administration, each in his sphere, of the productive agencies which observation and science are offering in improved forms to the well directed enterprise which distinguishes modern civilization.

No portion of the world is more interested in the general cultivation of the philosophy of the useful arts, than our own country, and it is perhaps equally true, that no section of our country presents more of the material of prosperity, inviting scientific analysis and composition, than Wisconsin—more that promises a richer return to industrial agents who carry into their processes the discipline of the Mechanical and Chemical Philosophy, the power of accurate observation, the spirit of improvement, and the love of discovery.

In accordance with these views, the Board would very earnestly recommend to the constituted authorities of the state, the policy of giving to any future grant of lands to the State by act of Congress, such direction, as to enlarge the means of the Board and enable the University of Wisconsin to occupy the entire ground which, in this stage of social progress, falls properly within the scope of a State Institution of Learning of the highest grade. Looking to the more liberal policy which is likely henceforth to prevail in the administration of our public domain, the Board do not regard the statement of these views as premature, and will not doubt the disposition of Wisconsin to award to this interest that share of the National Bounty to which, in proportion to its relative importance, it is fairly entitled.

The results of such additional grant, if just and sufficient, will be that the annual revenue of the institution may be relieved from the heavy burden of the cost of the University Edifices, and may be wholly saved to the uses of the several Departments of Instruction, that more ample provision may be made for the thorough and liberal culture of the Teachers of the Public Schools of the State, and a Department of the Practical Application of Science may be added to the State University, for the better education of those, on whose intelligence and skill depend the success of the industrial processes, the physical wealth, and the general prosperity of the community.

In this Department of applied science, none of the indus-

trial processes are more interested than that of Agriculture. It is impossible that the annual yield of land and labor should not be greatly increased in quantity and improved in quality by the universal diffusion among cultivators of a knowledge of the analysis of soils, of the action of manures, of the elements which enter in the composition of grasses, grains, and other agricultural products severally, of the Natural History of plants and animals, and the relations of light, heat, moisture, gravitation, electricity and its cognate agents to the processes of organic life.

The conviction is taking fast hold of the public mind in Europe and the older states of this Union, that for the thorough acquisition of this valuable agricultural knowledge, it will not do to depend upon the ephemeral influences of popular Lectures and Addresses, nor yet on the mass of floating information placed before the Farmer, through the agency of the Periodical Press. Agricultural Colleges are beginning to be constituted, where the science may be acquired, and in connection with Model Farms, its application may be made familiar to the student, in preparation, for the more successful and profitable discharge of the maturer duties of the practical Farmer.

These views are rational and just. Agricultural Science, like all other science, can only be acquired by study and research. The discipline of the school is essential to its acquisition. Without it, the farming processes fall to the low level of routine and drudgery. With it, agriculture rises to the dignity of a profession, and vindicates its undoubted claim to stand not only in the first rank of the experimental arts, but side by side with the learned professions in interest and honor, as well as in profit.

The same reasons, then, that have hitherto gathered Schools of Law, Medicine and Theology around the Literary Department in the University system, and are now attracting to its appropriate place in the same system the School of Normal Instruction—the same reasons would bring the Agricultural

school in like manner within the scope of University Instruction, and offer to the professional student in this art the same liberal culture which has been deemed heretofore the appropriate if not the exclusive preparation of the candidate for the learned professions.

Under the proposed organization, a student, while in attendance on the instructions of the Chair of Agricultural Chemistry, or any other Chair in the Department of the Philosophy of the Useful Arts, will be able, in connexion with one or more of the regular classes, to devote all the time not otherwise employed, to the acquisition of the useful and liberal branches of knowledge taught in the other Departments of the University.

Under the practical operation of such a syttem, commending itself to the sound judgment of an enlightened public, we may look forward not only to the greatly enlarged productiveness of the useful arts, but to their more elevated social position. The pride of profession, which has been so long kept in being and in vigor by the invidious distinction which has been set up, and too generally acquiesced in, between the the so-called learned professions and the trades, is destined to fall before the leveling influences of juster views of education.

When the great truth shall pass into an abiding conviction of the popular mind, that Agriculture and the Useful Arts have their appropriate scieuce, which is to be reached through philosophical and professsional culture, the causes which have served to depress the industrial occupations will disappear.—The social position of the individual will cease to be determined by his art or calling, but will be fixed by his intellectual and moral worth—and the pride of profession will be lost in the dignity of the man.

The prevalence of the sentiment hitherto, that the propriety of liberal culture, both general and professional, is confined to the practitioners of the learned professions—that all the science and the philosophy, which transcends the rudimental instructions of the Common School, would be thrown

away on the farmer or the artizan, has done more than aught else to impair the effectiveness of the industrial processes; to limit the beneficial action of the Useful Arts, and unfortunately for the public, to let down their position in the social economy.

It is with a view to remedy these admitted economical and social evils—to multiply the valuable products of the various forms of industrial agency—to level them up to the standard of professional dignity and consideration, that the idea of Agricultural Colleges and Schools for instruction in the philosophy of the Useful Arts, has recently found audience and favor with the friends of educational reform and social progress, in Europe and America.

The board look upon this important movement of modern civilization, as a distinct demand for the enlargement of the existing University system, by adding to its organization a Department for professional instruction in Agriculture and the useful arts. For valuable as separate and isolated Agricultural Colleges may be conceded to be, it is not to be doubted that there is a still better policy than that which would withdraw the class of young men proposed to be benefitted, during the period of their culture, from the influence, the sympathy, and the generous rivalry of the residue of the young intellect of the country.

The aggregate expenditure which would be needed to found and sustain in operation isolated schools of professional instruction in agriculture and the mechanical processes, could not fail, if applied to the organization and support of a University Department of like purposes and ends, to accomplish far more for the individual and for society. By introducing the future cultivator of the Artizan, during the period of his professional culture, to the more liberal instructions or the University, we secure to him in the highest degree, the advantages of Chemical and Mechanical science, of the experimental farm, of models illustrative of the industrial processes—and superadd to all these, free access to the library, and collections in

the various branches of natural science, and, in connexion with the regular classes, to the lecture rooms of the Professors of the other departments, whether Collegiate or Professional.

From such conditions of culture, and the more varied action of mind on mind, involved in this early association of liberal and professional study, he will go forth to his work with juster views of the relations of the sciences to the arts, and of the arts to each other—he will find the middle wall of partition between the useful arts and the professions broken down, his social position more fairly adjusted, his industrial agency better appreciated and more aptly rewarded.

That it is the tendency of modern civilization to open the advantages of liberal culture to every class of human agents in the organization of society, and thus to secure to itself the enlarged physical wealth, and the higher intellectual, moral and social good involved in this condition, is a truth which addresses itself to every observing mind. It is in the earnest conviction of this truth, and in the cordial desire that Wisconsin may, at an early day, take a leading position in this movement, that the Board have undertaken to demonstrate the proper relation of the University to those great industrial agencies which have hitherto been regarded almost, if not altogether, without the scope of its beneficent action and its everlasting influences—and have ventured to suggest the hope that its endowment may be so enlarged by National or State bounty, as to enable it to cover the whole ground to which it is entitled, to do the entire work which it can best do, and which may be justly assigned to it, and required of it, in the economy of modern civilization.

8. *Library amd Cabinet.*

At the July meeting of the Board, the appointment of Librarian was tendered to H. A. Tenney, Esq., who has also, through the past year, continued to act in the capacity of Curator of the Cabinet.

By reference to the Document marked "F," in the appendix, it will be seen that very valuable editions have been

made to the collection of specimens in Mineralogy, Geology, Fossil Remains and Conchology, since the date of the last report. The Cabinet in its present condition, in the number and quallty of the specimens, reflects great credit on the devotion of the Curator to the purposes of the appointment, as well as on the enlightened liberality of those scientific gentlemen, to whose valuable contributions the University is indebted for a portion of the collection.

A proposition has been recently made to the Board to become the purchaser of the private Cabinet of a gentleman who is about to retire from the Chair of Natural Science in one of the eastern Colleges, a position which he has occupied more than thirty years with distinguished ability. The collection contains about 3000 specimens, selected out of the accumulations of the professional life of the proprietor. There is ample testimony to its perfection, beauty and value; and as it is offered on favorable terms, the Board are unwilling to close the negociation without an effort to secure it for the benefit of the University.

By further reference to Document "F," in the appendix, information may be obtained relative to the success of the efforts hitherto made to begin a University Library, which by subsequent accumulations may become worthy of an Institution of Learning of tne highest grade. Many valuable donations have been made, and more may be anticipated from the enlightened liberality of the friends of the University in the State and throughout the Union.

The Board, however, are well aware that only a limited reliance can be placed, in the formation of a valuable Library, on voluntary contributions only. Their attention will be early turned to the provision of an ample fund, which shall be able to command, year by year, from the greater literary marts, such works as may be selected with diligence and discrimination, as best adapted to the uses of the University, and worthy of a place in one of the greater repositories of the thought of the past and the present.

9. *Finances.*

The University of Wisconsin, as is well known, has its root in the benificent policy of the General Government in the administration of the national domain, of granting to each of the new states, seventy two sections of choice lands for the support a seminary of learning of the highest grade. It is not to be questioned that it is both the duty and the interest of each state, in the adminisiration of the grant, to secure to the trust the whole value of the lands, in order to accomplish in the best manner, and to the broadest extent the ends which a progressive civilization now demands, and will hereafter require still more largely, from the leading representatives of the University System—those institutions of learning, namely, which in virtue of their position and capabilities, are destined to give character and efficiency to all other agencies in the mechanism of public instruction.

The bounty of Congress in this behalf has been dealt out to the new states with entire impartiality, but the results of the administration of the bounty in the various states, has been widely different. In some, the trust has been executed with a degree of fidelity and wisdom of which Wisconsin might well be emulous; in others, this great though delicate interest has struggled up, neglected and uncared for, to a tardy and fruitless maturity; in others still, this endowment sacredly due to the great cause of social progress, with other educational funds, has been, with no pious hand, diverted to other public or private ends comparatively worthless.

However instructive, it would be invidious, in a public document like this, to illustrate these statements, by appealing to the facts as they have transpired in the educational history of the new states. It is, however, entirely proper, as well as germane to the matter of this report, to say, that the principle running through all these cases, seems to be, that an early organization of the University interest is essential to the thrifty administration of the endowment, and of consequence, to the success of the Institution. Wherever the disposal of the

lands has been attempted, prior to the creation of a distinct University interest by an act of incorporation, the endowment has been doomed to melt away under an unchecked system of neighborhood spoliation, in fraud of the just rights of the young mind of each successive generation of men.

Happily for Wisconsin the early incorporation of a board of Regents, and an incipient organization of the University, has been followed up, in course, by such legislation in reference to the valuation and sale of the lands, as to rescue the fund from the disastrous reduction towards which it was manifestly tending, under the action of causes and influences above alluded to.

Under the undisturbed operation of the University law, as it now stands, for a half.score of years, the board very confidently *believe that the seventy-two* sections of land constituting the original endowment of the institution, will be transmuted into a productive fund equal, at least, to that of any of the analogous institutions of the new states, and a close approximation toward that of the oldest and best endowed institutions of the land—a result which will present another illustration of the wise economy of the early creation of a special guardianship of the University interest—the expense of the incipient organization proving, in the end, to be a provident outlay of hundreds, resulting in the saving of thousands to the institution, and to the cause of education in the state.

If the legal provision made under such auspices by the last legislature, relative to the valuation and sale of the University lands, be carried out with consistency and fidelity, the endowment will ultimately reach $450,000 ; and the institution will go down to posterity, a monument of the enlightened economy and liberal forecast of this generation.

By reference to the report of the Treasurer of the board, and of the land Commissioner, (Documents marked "C" and "D" in the Appendix,) it will be seen that a like regard for economy, and a corresponding thrift, have characterized the action of the board in the administration of the funds, which it has

been made their official duty to receive and to disburse, in the accomplishment of purposes connected with their trust.

The third section of the Act of the last legislature, entitled an "act to authorize a loan to the University of Wisconsin," directs the Board to apply "such monies—to the construction of University Buildings, to the payment of liabilities incurred in the purchase of lands for the purposes of said University, and to such other purposes as may be necessary to the advancement of the interest of said University"—that is, to two specific uses and to other uses within the official discretion of the Board.

It is not the intention of the board to recapitulate, under this head, their acts already reported, and they need hardly add, that all their acts, involving the expenditure of money have been done in strict compliance with the directions of the third section of the statute as above recited. They will content themselves with a summary of their liabilities and resources, assuming the first University Edifice to be completed agreeably to contract, on the 1st day of January, 1851.

Liabilities of the Board.

State Loan,	$25,000 00
Due to Parker and Varney, and others,	5,000 00
Total,	30,000 00

Property and Resources of the Board.

First University Edifice,	$18,000 00
Basement of second Edifice,	1,250 00
University site, valued at	5,000 00
Village lots and out lots,	13,449 61
Library,	1,400 00
Cabinet,	600 00
Portion of state loan undrawn,	2,462 44
Total,	42,162 05

It will be seen by the above exhibit that the value of the

property in the hands of the Board in trust for the University, exceeds, by several thousand dollars, the amount of money advanced to the Board, by virtue of the Act referred to. This large surplus is properly destined to the same uses as the original fund out of the management of which it has been made. Time, however, will rapidly and greatly increase the value of that form of property in which this surplus, for the most part, exists, and it would be sound policy on the part of the state, to relieve the board of the necessity of throwing it into market at too early a day.

10. *Vacancies in the Board.*

The Regents, at their first meeting, agreeably to the provisions of the Charter, were divided by lot into three classes, whose term of office should be two, four, and six years respectively. The term of Messrs. Alex. L. Collins, A. Hyatt Smith, Julius T. Clark, and John H. Rountree, members of the first class, will expire in the year 1851; and it will devolve on the legislature during their coming session to fill the vacancies by the election of four Regents to hold for the term of six years.

In conclusion, the Board congratulate their fellow citizens on the evidences of thrift in the condition of the University in every department, and tender, renewedly, to the constituted authorities, of the state, the assurance of their hearty co-operation in all efforts calculated to extend the means of intellectual and moral culture, to elevate the tone of Public Instruction, and to promote the interests of sound learning in the Commonwealth.

All of which is respectfully submitted.

JOHN H. LATHROP,	RUFUS KING,
ALEX. L. COLLINS,	ELEAZER ROOT,
A. HYATT SMITH,	NATHANIEL W. DEAN,
JOHN H. ROUNTREE,	E. B. WOLCOTT,
JULIUS T. CLARK,	HIRAM BARBER,
SIMEON MILLS,	JOHN BANNISTER.

"A."

REPORT OF THE EXECUTIVE COMMITTEE.

UNIVERSITY OF WISCONSIN,
Madison, Dec. 17, 1850.

To the Board of Regents :

The Executive Committee respectfully

REPORT

That in pursuance of authority vested in them the committee have, during the past year, reduced to the ownership of the Board, all outstanding titles to portions of the University site on the best practicable terms, and have directed the necessary conveyances to be made.

By order of the Board, the committee procured the publication of three thousand copies of the Addresses delivered at the inauguration of the Chancellor. To one thousand of these they caused extra copies of the Regents Report, and of the Report of the Superintendent of Public Instruction, to be attached, embracing in one volume the educational documents of the state for the last year. This uniform edition of the several documents seemed to be necessary to the ganeral understanding of the educational system of Wisconsin, of which the University forms a part. The publishers bill has been audited, and the amount allowed by the committee has been paid. The question on the payment of the balance of the account is reserved for the consideration of the Board.

Agreeably to authority granted at the last meeting of the Board, the committee ordered the laying of the basement walls of the second dormitory building. As this building is destined to the uses of the Normal Department, the committee deemed it expedient that such beginning should be made this season, in order that the period of its completion need not be-

extended beyond the autumn of 1851. In the judgment of the committee, the interests of the public schools of Wisconsin demand the opening of the Normal Department for the professional education of teachers as early as the spring of 1852. The experience of the present year has demonstrated that a single season is scant time for the commencement and completion of a building of this magnitude. It was therefore, the judgment of the committee that they would not be justified in deferring the commencement of the work till spring, with the hazard of depriving the teachers of our public schools of the benefit of Normal Instruction for another year. While the committee entertain full confidence that it is the true policy of the University to provide for the speedy erection of the building in question, they are of opinion that the execution of the residue of the plan will not be called for till such time as the treasury may be able to meet the expense without any further anticipation of the revenues of the institution.

In pursuance of a resolution of the Board at their last meeting, the committee authorized the temporary employment of a Tutor, to assist Professor Sterling in the instruction of the preparatory and the collegiate classes. It is the understanding of the committee that the Chanceller will soon be so far relieved from the pressure of other duties as to engage personally and regularly in instruction; and that, unless the number of classes shall be materially increased, the further employment of the Tutor will be dispensed with.

The committee have audited and allowed sundry accounts which will be duly reported by the treasurer.

All which is respectfully submitted.

ALEX. L. COLLINS, *Ch'n.*

"B."

REPORT OF THE BUILDING COMMITTEE

UNIVERSITY OF WISCONSIN,
Madison, December 17, 1850.

To the Board of Regents :

The Building Committee in accordance with the resolution of the Board constituting said committee, make their second

ANNUAL REPORT.

In addition to a general superintendence of the University grounds, and the preservation of all improvements and structures thereon, constituting the standing duty of the committee they were specially charged by the Board, at their meeting, January 16th, 1850, with the duty of contracting for and causing to be erected on the University site, one dormitory building, according to the plan adopted by the Board at said meeting.

In prosecution of this special duty, the committee made suitable advertisement for sealed proposals, to be opened on the 20th of March, 1850. Thirteen bids were received by the committee, the most favorable of which was found to be that presented by Messrs Varney & Parker, who proposed to complete the building of stone, according to the specifications, at the aggregate cost of $17,000—the committee reserving the usual right of varying the specifications as the work should progress, increasing or diminishing compensation accordingly. The Board respectfully referred to the specifications on file in the secretary's office, for a more full understanding of the style, quality and quantity of work to be done in fulfillment of the undertaking.

Two several contracts, with good and sufficient securities for faithful performance were executed; one by Ezra L. Var-

ney, for the mason work complete, for the sum of $10,850, and the other by Henry C. Parker, for the carpenter and joiner work complete, for the sum of $6,950; the Building Committee contracting to pay, in part, from time to time, as the work should progress, reserving a sufficient sum for final payment, on satisfactory completion of the work on the first day of January, 1851.

Provision was made, in the contract with Mr. Varney, for the construction of two furnaces of approved model and workmanship, with the necessary flues and registers, warranted sufficient to heat, at all seasons, every study, and every room for recitation and lecture in the building. Further provision was made for the thorough ventilation of each room, a very important desideratum, as the committee deem it, in collegiate architecture.

Under the supervision of the committee, the work has steadily advanced towards its completion. The walls were up and under roof early in October; the floors have been laid and the residue of the joiner work will be completed within the time specified in the contract.

The committee, however, deem it hazardous to complete the plastering so late in the autumn, and have authorized the contractor to defer the same till the opening of spring. The building will accordingly be ready for occupation on or before the first day of June next.

At a special meeting of the Board, on the 25th day of July last, a resolution was passed, leaving it to the discretion of the Executive Committee, to order the laying of the foundation, on the south side of the principal avenue, of a second dormitory building, similar to the first, with a view to the erection of the superstructure in the course of the next season. The Executive committee, after due consideration, directed the needful excavation and the laying of the basement walls up to the water table, inclusive.

Accordingly, Mr. E. L. Varney contracted with the Building Committee to furnish the materials and to lay the rough

wall for $1 50 per perch, the "rock work" for $2 per perch, and the water table, of cut stone, for fifty cents per foot of faced work.

This job has been completed in a manner highly creditable to the contractor, and has been accepted by the Committee.—The work has been protected from the weather and will take no damage from exposure.

As the work on the first dormitory building is still in progress, the Committee refrain from remark on its style and character, and will only say that every part of it has gone forward under the supervision of the Committee, and will not be accepted unless, on the most rigid scrutiny, it shall be found to come up to the letter and spirit of the contract.

The Committee have, from time to time, authorized warrants on the treasury in favor of the contractors, taking care to reserve for final payment a sum sufficient to secure a faithful performance of the contract or fully to indemnify the board for any default or damage.

In taking leave of this part of the subject, the committee take occasion to express the conviction that the interests of education in the state demand the completion of the second building, now begun, during the summer of 1851, in order to the earliest possible organization of the Normal Department of the University. It is earnestly to be hoped that the condition of the treasury will be found such as to allow the immediate prosecution of the work on the opening of the spring, and its completion early in the autumn of 1851.

The Committee have not been unmindful of the other branch of their duty, touching the preservation and improvement of the University grounds. A hand has been constantly employed during the summer, in clearing off the trunks and branches of trees, and removing the under brush, reserving the standing trees, and such of the younger growth as may promise to be of use or ornament to the site—a permanent supply of water has been procured by sinking a well to the depth of seventy five feet, and the grounds will be effectually protected

from trespass and waste, by a durable inclosure, now in process of erection. The site embraces an area of about fifty acres, and the plan of building has been so adapted to the natural face of the hill, as to obviate the necessity of grading, except in the immediate vicinity of the several structures, for the better protection of basement walls, and the convenience of occupants. The committee, therefore, propose to have the natural surface well set in grass, and further to ornament the area by the plantation of the avenue trees called for in the original plan of the grounds already approved, as well as of those which may be desirable for fruit, shade, or shelter.

Whatever improvements, conducive to the beauty or the uses of the University site, may be within the range of good taste and sound economy will receive the early and constant attention of the committee.

All which is respectfully submitted.

J. H. LATHROP,
SIMEON MILLS,
N. W. DEAN,
Committee.

"C."

TREASURER'S REPORT.

To the Board of Regents of the University of Wisconsin.

The undersigned Treasurer of said Board respectfully

REPORTS:

That there has been paid into the treasury at the times, and

from the resources hereinafter mentioned, the following sums of money to wit:

1850.	Up to Feb. 1st by students for tuition the 1st year in Primary department,	$364 00
Feb'y 16,	By state treasurer on acc't of loan,	10,513 29
July 5,	By " " on account of University fund,	300 00
August 5,	By State Treasu'r on acc't of loan,	12,024 27
Nov. 20,	Students on account of tuition fees 2nd year,	175 50
" "	On account of premium received on loan deposited in N. Y., less postage and interest paid on temporary loans made by Treasurer,	101 43
" "	On account sales of lots in University addition to Madison,	236 09
	Total receipts,	$23,714 58

There has also been disbursed and paid out of the treasury on account of expenditures of the Board of Regents, as follows, to wit:

On account of purchases of site for University buildings,	$3,833 33
On account of fitting up and furnishing room and providing fuel, &c., for preparatory department,	177 85
On account of Salary of Chancellor and Professor,	2,841 66
On account of plans and drafts of University buildings, and for surveying and leveling for the same, fencing and improving grounds, &c.,	379 25
On account of one year's interest on amount of loan received,	1,577 62
On account of printing educational documents, advertising, printing circulars, &c.,	533 50
On account of cabinet and library, and for freight on boxes of books and specimens, and for cases necessary for the same	409 22

On account of miscellaneous items, including incidental expenses of inauguration, purchases of blank books, tools for laborer on public grounds, &c.,	50 50
On account of dormitory building,	13,549 77
Total amount of disbursements,	$23,352 70
Leaving balance in treasury,	$361 88

Vouchers for the payment of each and every item of the aforesaid disbursements have been duly considered, and authorized by the Executive Committee, and are herewith submitted for examination and inspection by the Board.

Upon the completion of the dormitory building, there will be due to the contractors the sum of $4,250 23, and there will undoubtedly be other items of expenditures which will swell the indebtedness to something over five thousand dollars.

To meet which the Board has resources, as follows, viz:

Cash in Treasury,	$ 361 88
Balance due on loan,	2,462 44
Due from students,	138 00
Due on sale of village lots,	552 66
Village and out lots valued at	13,449 61
Making a total of	$16,964 59

All of which is respectfully submitted.

SIMEON MILLS, *Treasurer.*

Madison, November, 20, 1850.

"D."

COMMISSIONER'S REPORT.

To the Board of Regents of the University of Wisconsin:

The undersigned commissioner, appointed to lay out, and dispose of so much of the lands belonging to the Board of Regents as are not included in the University grounds respectfully

REPORTS:

That in pursuance of the instructions of the Board, he has caused said grounds, to wit: all that portion of the lands purchased of Aaron Vanderpool, and not included as aforesaid, to be surveyed and laid out into 174 village lots and 12 five acre or out lots, a part of which has been duly acknowledged and recorded as the "University Addition to the Village Plat of Madison."

Of the aforesaid village lots, ten have been sold to C. J. Brooks, in exchange for four and one quarter acres of the N. E. corner of Sec. 22, Town 7, N. of Range 9, East, which purchase was deemed necessary to complete the site for the college buildings.

Six lots have also been contracted to John D. Clute, in exchange for six lots in blocks one and five, which purchase was necessary for the same reasons as those assigned for the purchase of Mr. Brooks.

Four lots on the western extremity, have been contracted nominally for the sum of fifty dollars, but really in consideration of the erection of a brick boarding house, sufficiently large to accommodate fifty students with board, to be erected on said lots.

Eleven other lots have also been sold at an average value of $77 27, making the sum of $850 00, and the total amount of sales $900 00.

The whole number of lots disposed of in the various ways above stated, is thirty-one, leaving unsold one hundred and forty-three village lots, and twelve five acre lots.

Of the aforesaid $900, there has been paid into my hands the sum of three hundred forty-seven dollars and thirty-four cents. The expenses in curred in surveying, staking and platting said grounds, amounts to $111 25, leaving the amount of cash paid into the treasury, two hundred and thirty-six dollars and nine cents. All of the lots have been sold under a special contract that a good dwelling-house or shop shall be erected thereon, within one year from the time of sale. Three other lots have been verbally bargained for, but as yet no contracts have been executed therefor.

Hereunto attached is a correct list of the lots sold, showing the contract price and amount paid for each lot.

It is my opinion that the lots sold are not of more than of average value, and the remaining 143 valued at the same price amount to $11,049 61

Twelve five acre lots at $250 each, 2,400 00

Total value,	$13,449 61
To which add amount of sales,	900 00
Total,	$14,349 61
From which deduct probable expense of selling &c.,	500 00
Leaving the nett value of lands not reserved for building purposes,	$13,849 61

All which is respectfully submitted,

SIMEON MILLS, *Commissioner.*

Madison, November 20, 1850.

Schedule of Lots sold in University Addition to Madison.

Date.	Lots.	Block.	To whom Sold.	Amount of sale.	Amount paid.	Remarks.
1850	From 1 to 10 iclusive.	8	C. J. Brooks,		-	Exchanged for other lands.
	1, 2, 3, 4, 5,	2	John D. Clute,			same
	1,	4	same,			same
Aug. 28.	7, 8, 9,	4	Amos Atterton,	300 00	114 00	2 contracts to build.
" "	1, 2, 9, 10,	1	W. B. Slaughter,	50 00	19 00	Sold for board house,
" 29,	4,	4	Demming Fitch,	80 00	10 00	Contract to build.
Oct. 29,	5, 6,	10	John Howagon,	150 00	57 00	same
" "	4, 5	14	Michael Hagarty,	120 00	41 20	same
" "	3,	14	Thomas Heeran,	60 00	22 80	same
Nov. 7.	1,	10	Patrick Gilluly,	70 00	23 34	same
" 11,	1,	7	Mary Duffy,	70 00	60 00	same
				$900 00	$347 34	

"E."

REPORT.

JOHN H. LATHROP, L. L, D.,

President of the Board of Regents of University of Wisconsin :

The preparatory school has continued in healthful operation during the past year. The number of students has heretofore been limited by the fact stated in our last report, arising from the difficulty of obtaining board in Madison on sufficiently moderate terms.

To a number of young gentlemen who, we know, are desirous of enjoying the advantages of the University, it will be gratifying to learn, what we feel authorized to state, that it is the intention of the Board of Regents, during the coming season, to make such provision for the accommodation of the students, as will reduce the expense of board as low as it can be obtained at any other institution of the kind in the country.

The labors of instruction have been considerably increased, in consequence of the necessary multiplication of classes, arising principally from the improvement of those who have for sometime, been connected with the school, and the frequent accession of others, who had previously enjoyed, in a very small degree, the advantages of education.

The duties of the school during the present term, besides the services of the Chancellor, have been sufficient to occupy the whole time of two teachers. This will be seen from the *programme* of recitations for the term, which we here insert for the purpose also of showing the studies pursued by the different classes of the school.

FORENOON.

STERLING.						CONOVER.					
	H.	M.	H.	M.			H.	M.	H.	M.	
From	8.	.30 to	9.	.00	Reading.	From	8.	.30 to	9	00	Greek Gram.
"	9	00 to	9	30	Algebra, 3r'd	"	9	00 to	9	30	Latin Gram,
"	9	30 to	10	00	Geometry.	"	9	30 to	10	00	Lat. Les. 1st C.
"	10	00 to	10	10	Recess.	"	10	00 to	10	10	Recess.
"	10	10 to	10	45	Eng. Gram.	"	10	10 to	11	00	Caesar 1st C.
"	10	45 to	11	30	Alg. 2d Class.	"	11	00 to	11	30	Lat. Les. 1st C.
"	11	30 to	12	30	Alg. 2st Class.	"	11	30 to	12	30	Col. Cl. Greek.

AFTERNOON.

	H.	M.	H.	M.			H.		M.	
From	2	00 to	2	40	Arith. 2d Cl.	From	2	to	3	Virgil.
"	2	40 to	3	30	Arith. 1st Cl	"	3	to	4	Caesar, 2d Class.
"	3	30 to	4	30	Col. Class Al.	"	4	to	4½	Greek Grammar.

Besides the recitations above exhibited, additional labor has been imposed upon the teachers, by the admission of students at the middle of the term, who could not be arranged in any of the regular classes.

It is obviously of the greatest importance not only that the University, from the beginning, be furnished with teachers. having the qualifications suited to the grade of such an institution, but also that the number be sufficient for the thorough instruction of all who may seek an education within its walls This is the only ground upon which the friends of the University can expect it to receive or deserve the confidence and patronage of the public.

Very Respectfully,

Your ob't Servant,

J. W. STERLING.

Madison, December 28, 1850.

"F."

REPORT OF CURATOR & LIBRARIAN.

To the Honorable Board of Regents :

GENTLEMAN:—In compliance with your request, I herewith submit a statement of the condition of the Cabinet and Library of the University of Wisconsin.

The project for commencing a Cabinet originated at the first session of the Regents, at a time when every thing remained untried in this new country, and nothing having such a purpose in view, had been accomplished, and was justly regarded as at best but an experiment. Since the first efforts were put forth, however, collections of specimens have been continuous, increasing both in quantity and value, so much so that the Cabinet now contains a nearly complete representation of the geological formations, minerals and fossils of the state, and a goodly number of the minerals, fossils, &c., found in the eastern states.

The list attached shows the mineral specimens collected during the year past. Continued ill health for several months has prevented me from giving that attention to the collection which was desirable ; and for that reason, lists of the fossils, shells, and many other specimens, are unavoidably omitted.—They have been, however, numerous and valuable.

A system of exchanges has been estabaished, through the medium of which, it is confidently anticipated, many additional eastern specimens will be obtained during the coming year, and at no greater cost than that of bare transportation.

I am under particular obligations to several gentlemen for their efforts to aid the Cabinet during the past year. Among them, I. A. LAPHAM, Esq., of Milwaukee , W. R. SMITH, Esq., of Mineral Point ; Hon. C. S. BENTON, of Albany, N. Y. ; Wm. S. CLARK, of Easthampton, Mass. ; and A. BRONSON, of Prairie du Chien, are deserving of special acknowledgement.

The subject of founding a library was one which early occupied the attention of the Regents, but from lack of means, no direct action was taken until June last, when a proposition was made to connect, temporarily, the collection of material for a Library, with that of the cabinet, and I was appointed agent for that purpose. The result of the efforts made to carry out this design, has been very flattering, as the annexed catalogue will show. Nearly eight hundred volumes, many of them quite valuable, have been obtained, and additions are being constantly made. This secures a foundation for a Librard: and judging from the liberal spirit generally manifested by the public, this important department is destined to a steady, and perhaps rapid increase in the number of its volumes.

Particular thanks are due to Hon. Henry Dodge for a generous donation of books, valued at $625. Also to A. S. Barnes & Co., of New York; to D. S. Durrie, Esq., late of Albany, N. Y.; and to several citizens of Madison.

The expenses incurred during the year, in collections for the cabinet and library, have been about $350. The actual value of the collections are, at a moderate estimate, not less than $2,000.

Respectfully submitted,

H. A. TENNEY,

Curator and Librarian.

LIST OF MINERALS,

ADDED TO THE CABINET OF THE UNIVERSITY OF WISCONSIN DURING THE YEAR 1850.

1 Actinolite, from Windsor, Massachusetts.
2 Agate, from Lake Superior.
3 Agate, from Lake Pepin,
4 Albite, Haddam, Connecticut.
5 Allanite, Athol, Massachusetts.
6 Aminthus, Bethel, Vermont.
7 Amethyst, north shore of Lake Superior.
8 Amygdaloid Trap, Ahmednugger, East Indies.
9 Argentine, Williamsburgh, Massachusetts,
10 Asbestus, Pelham; Massachusetts.
11 Barytes, Hatfield; "
12 Barytes, Mineral Point Wis.
13 Barytes Fibrous, St. Lawrence co., N. Y.
14 Beryl, Large Crystals of—Acworth, N. H;
15 Beryl, Yellow, Pelham, Mass.
16 Bi-Silicate of Manganese, Cummington, Mass.
17 Breccia, Hinsdale, Mass.
18 Cacoxene, Jefferson co., N. Y.
19 Chalcedony—
20 Chalcedony, Tampa Bay, Florida.
21 Chrysoberyl, Haddam, Connecticut.
22 Clay Slate, Guilford, Vermont.
23 Clay Stones, Easthampton, Mass.
24 Copper—native, Lake Superior.
25 Copper—Earthy Carbonate of, Mount Sterling, Wis.
26 Copper—Black oxide of, Lake Superior.
27 Copper—Green Carbonate of, Cheshire, Conn.
28 Copper—Variegated, Bristol, Conn.
29 Copper—Purple, Sault Ste Marie.
30 Copper—with Epidote, Lake Superior.

31 Cummingtonite, Cummington, Mass.
32 Datholite, Cheshire, Connecticut.
33 Dendrite, Hatfield, Massachusetts.
34 Dog-Tooth Spar, Lockport, New York.
35 Epidote, Haddam, Conn.
36 Epidote, Warren, N. Y.
37 Epidote—with Copper, Lake Superior.
38 Epidote—with Hornblende, Mass.
39 Fluor Spar, Muscalunge Lake, N. Y.
40 Garnets, in Mica Slate, near St. Pauls, Minnesota.
41 Garnets, Magnesian, Walton, Conn.
42 Geode, Quartz.
43 Gold—native, Dr. A. J. Ward, California.
44 Gold—in scales or dust, Dr. A. J. Ward, Cal.
45 Granite—Red, Big Bull Falls, Wis.
46 Granite—Graphic, Grafton, New Hampshire.
47 Granular Quartz, Savoy, Massachusetts.
48 Gypsum, Grand River, Mich.
49 Heulandite, Peter's Point, Bay of Funday.
50 Hematite, Savoy, Massachusetts.
51 Hematite, Franconia, N. Y.
52 Hematite with Specular Iron, Antwerp, N. Y.
53 Hornblende, Goshen, Mass.
54 Hornblende with Eidote, Massachusetts.
55 Idocrase, Massachusetts.
56 Iron Ore—Jointed, Hinsdale, N. H.
57 Iron—Magnetic oxide of, New York.
58 Iron—Pyrites, Rowe, Mass.
59 Iron—Pyrites Radiated, Mineral Point, Wis.
60 Iron with carb. and sulph. of zinc, " "
61 Iron—Arsenical, Brookfield, Vermont.
62 Jasper, Cambridge, N. Y.
63 Jasper—Red, Lake Superior.
64 Kyanite, Chesterfield, Mass.
65 Lava, Sandwich Islands.

66 Lead—Galena, in crystals, and massive, M. Point, Wis.
67 Lead with carb and sulph zinc, and Pyrites, " "
68 Lead with Calc Spar and Barytes " "
69 Lead—Roscoe, New York.
70 Magnesien Garnet, Hadden, Conn.
71 Malachite, Bristol, Conn.
72 Manganese—Black oxide of, Copper Harbor.
73 Manganese—Red oxide of, Cummington, Mass.
74 Manganese—Bi-Silicate of " "
75 Marble—Variegated, Easthampton, Mass.
76 "Mineral Paint," Lorain co., Ohio.
77 Mica—Plumose, Williamsburgh Mass.
78 Mica " Warren co., N. Y.
79 Mica—Rose, Goshen, Mass.
80 Mica—with Schorl.
81 Mica in large plates, with Serpentine, Morristown, N. J.
82 Mica—Slate, Westmorland, N. H.
83 Micaceous Oxide of Iron, Howly, Mass.
84 Molybdenite, Westmorland, N. H.
85 Pearl Mica, Warren, N. Y.
86 Pearl Mica, Lockport, "
87 Porphyry,
88 Pinite, Haddam, Conn.
89 Prehnite, Cheshire, "
90 Picrolite, Warsaw, N. Y.
91 Pyrites, Rowe, Massachusetts.
92 Pyrites—Radiated, Min. Point Wis.
83 Pyroxene, Orange co., N. Y.
94 Quartz—White, Massachusetts.
95 Quartz—Crystals of, a large no., Herkimer co., N. Y.
96 Quartz—Drusy, yellow, rose, granular and fused, a variety of specimens,
97 Spinel—Green, Attica, N. Y.
98 Spinel Lilac with crystals of Serpentine, N. Y.
99 Schorl, Haddam, Connecticut.
101 Schorl, New Madrid, Missouri.

102 Schorl coated with Mica.
103 Sapphire, Newton New Jersey.
104 Saponite, Cheshire, Connecticut.
105 Sahlite, Orange co., N. Y.
106 Staurodite, Franconia, N. Y.
107 Soapstone, Grafton, New Hampshire.
108 Spodumene, Norwich, Massachusetts.
109 Silver—native, with copper, Lake Superior.
110 Spars—Calcareous, Mineral Point, Wis.
111 Spars—Calcareous, Jefferson co., N. Y.
112 Spars Derbyshire, Derbyshire, England.
113 Spars Iceland, Rosse, N. Y.
114 Spars Dog-Tooth, Lockport, N. Y.
115 Selenite, Lockport, N. Y.
116 Selenite, Maine.
117 Specular Oxide of Iron, with Garnets, Island of Elba.
118 Stalactites and Stalagmites, Dubuque, Iowa.
119 Talc, Windsor, Massachusetts.
120 Tourmaline, Black, Goshen, Mass.
121 Tourmaline—Red and Green, Chesterfield, Mass.
122 Tourmaline with Albite, " "
123 Toadstone, Massachusetts.
124 Tremolite, Chester co., Pennsylvania.
125 Tremolite, Oxford, N. Y.
126 Tufa, New York and Minnesota.
127 Zinc Blend, Rochester, N. Y.
128 Zinc—carbonate of, Mineral Point, Wis.
129 Zinc—sulphate of, " " "
130 Zinc—Red oxhide of, Franklin, New Jersey.

☞ During the year, considerable addition has been made to the collection of Fossils. Several hundred species of marine and fluvatile shells—most of the corals and crustaceans of the West India Islands, as well as corals from the Pacific—and a number of Indian "curiosities," remains of the ancient tribes, in the shape of arrow heads, hatchets, pottery, and chisels—stone and copper—have been added to the cabinet. It has not been deemed necessary to publish a list of them at length, in this report.

CATALOGUE OF BOOKS

IN THE LIBRARY OF THE UNIVERSITY OF WISCONSIN, JANUARY 1st, 1851.

Architecture.

Vol.
1 Lafever's Modern Builder's Guide.
1 Tuthill's History of Architecture.
1 Ruskin's Seven Lamps of Architecture.

Biography.

1 Abellard and Heloise, contributed by F. Hudson.
1 Allen's American Biographical Dictionary.
1 Biography, Lib. Us. Knowl.
2 Byron, Moore's Life, by S. Mills.
1 Clay Henry, Life of, by D. Holt.
1 Columbus, Life and Times of, by D. K. Tenney.
3 Eminent men, lives of, by D. Holt Jr.
1 Franklin, life of, Sparks, D. Holt, Jr.
1 Knapp's biographical sketches.
1 Lafayette, life of, by D. Holt, Jr.
2 Lampeere's Universal biography.
1 Orators of the American Revolution, by G. W. Stoner.
3 Robertson's Charles V.
2 Roscoe, life of.
1 Smith, Jeremiah, life of.
1 Stiles, President, life of.

Chemistry.

1 Bigelow's Technology, by H. A. Tenney.
1 Chemistry and Electricity, Chambers Course, by A. S. Barnes & Co.

Classics.

1 Ainsworth's Classical Dictionary, by H. A. Tenney.
1 Brook's Ovid, by A. S. Barnes & Co.
12 Ciceronis Opera,

Vols.

1 Collectanea Evangelica, Brooke's by A. S. Barnes & Co.
1 Collectanea Graca Majora, Dalzel.
1 Gale's Opeescula.
1 Hutchinson's Xenophen.
6 Langhorne's Plutarch's Lives.
1 Lempeeres Classical Dictionary.
1 Ovidii Metamorphoses.
1 Scheevelii Lexicon.
2 Smith's Thucydides.
1 Virgyl Delphini.
1 Xenophen's complete works, by H. A. Tenney.

Conchology.

1 Brown's Conchology, by H. A. Tenney.
1 Conchologist's First Book, do.

Encyclopedias, &c.

1 Ure's Dictionary of Arts, Manufactures and Mines, by H. A. Tenney.

Engineering.

1 Gillespie's Roads and Railroads, by A. S. Barnes & Co.

Ethnology.

2 Transactions of the Am. Ethnological Society, N. Y. by Board of Regents.
1 Western Antiquities, by H. A. Tenney.

General Literature.—Prose—1.

2 American Museum, Vols. 2 & 7.
1 Baldwin's Annals of Yale College.
2 Bracebridge Hall.
2 British Drama.
6 Burke's Works.
1 Carlyle's Essays, by by H. A. Tenney.
2 Crayon Miscellanies, no. 2 and 3.
1 Curran's Speeches, vol 2.
1 Eckermann's Conversations with Goethe, by H. A. T.
1 Elegant Extracts.
1 Examiner, Vol. 5.

Vols.

8 Foreign Literature, Cousin, &c., by H. A. Tenney.
2 History of Roman Literature, Dunlop.
1 Jenning's Landscape Annual.
6 Johnson's Works.
1 Junius' Letters.
2 Knickerbocker's History of New York.
1 London Magazine, by N. B. Eddy.
1 Martins Miscellany, vol. 1.
3 Menzil's German Literature, by H. A. Tenney.
1 National School Manual, by D. Holt, Jr.
11 Novels and Tales, (vol. 6. missing.)
1 Parker's Rhetorical Reader.
1 Rollin's Belles Letters, vol 1.
1 Schlegel's Lectures.
7 Scott's Works.

General Literature.—Prose—2.

10 Shakspeare, (Ed. pr. Reed.)
1 Shakspeare, (Ed. pr, Wheeler.)
2 Sketchbook.
1 Spectator.
1 Tales of a Traveller.
1 Tattler and Guardian.
1 Terræ Filius.
1 The Great Metropolis.
1 Waverly Novels, by H. A. Tenney.

General Literature—Poetry.

1 Aikin's British Poets.
1 British Album,
14 British Poets.
4 Byron's Works.
1 Camoen's Lusiad, by H. A. Tenney.
3 Coleridge's Poetical Works.
2 Dante's Vision, by H. A. Tenney.
2 Elegant Extracts, vols. 5 and 6.
1 Goethe's and Schiller's Select Poems, by H. A. Tenney.

Vols.

1 Poets of Connecticut, by H. A. Tenney.

3 Pope's Poetical Works.

2 Tasso's Jerusalem Delivered, by H. A. Tenney.

Geography and Travels.

Albert's Expedition among the Camanches—Sen. Doc. 18 vol. 8, No. 433.

Albert's New Mexico—Sen. Doc. 18, vol. 4, no. 23.

Africa, west coast of, report of operations on, Sen Doc 18 Vol. 7, No. 150.

1 Carver's Travels.

1 Davenport's Gazetteer, by S. Mills.

Doniphan's Expedition—Sen Doc 18, vol 15, no 26.

4 Dwight's Travels.

Emory's Report—Sen Doc 18, Vol. 3 no. 7 by H. A. T.

2 England and the English.

Fremont's Expedition, 1842.

Fremont's Expedition, 1843 and 4.

Fremont's Memoir on Upper California, Ex. Doc. 18, Vol. 9. No. 5.

Fremont's Report, 1847 and 8.

Green Bay, Map of—Ex. Doc. 18, vol. 6, no. 170.

1 Haskell's United States Gazetteer.

Howisson's Report on Oregon.

2 Lapham's Wisconsin, by I. A. Lapham.

2 Lewis and Clarke's Travels, by D. Holt.

Lynch's Dead Sea Expedition, Sen. Doc. 1848-9, vol 4, Number 34,

1 Mitchell's General View of the World.

1 Mitchell's United States.

1 Morse's American Geography.

Morse's Geography.

Nicollet's Report.

Palmer's Mantchuria, &c.

1 Paris and the Parisians, by S. Mills.

1 Picture of England, d'Archenholtz.

Vols.

1 Picture of Italy, d'Archenholtz.

1 Pikes Expedition, 1805-6-7, by H. A. Tenny,

1 Schoolcraft's Discovery of the sources of the Mississippi, by H. A. Tenney.

1 Texas, Rambles in, by S. Mills.

1 Volney's View of the U. S.

1 Wilson's Pelew Islands.

Geology,

1 Elements of Geology, by A. S. Barnes & Co.

1 Jackson's Geological survey of Rhode Island.

Jackson's Report on the Mineral lands of Lake Superior, Ex. Doc. 1849, Vol. 3, No.

Nicollet's Report, by H. A. Tenney.

Owen's Report on Mineral Lands in Wisconsin.

Owen's Geological Survey of the Chippewa Land District Sen. Doc. 18, Vol. 7, No.

1 Pre-Adamite earth, Harris.

1 Smith's Scripture and Geology.

Stocton's Reports on the Mineral lands of Lake Superior

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1 Ancient History, Taylor's Manual of.

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1 France, L'Histoir de, (mutilated.)
1 Greece, History of, Lib. Us. Knowl.
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1 Hindoos, History of, Ward, by H. A. Tenney.
1 History, manual of, Taylor, by D. K. Tenney.
1 Illinois, History of, Brown, by H. A. Tenney.
1 Indian Affairs, History of, McCoy.
1 Indian Wars, by D. Holt, Jr.,
5 Josephus, by H. A. Tenney.
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1 Peninsular War, Napier, by F. Hudson,
1 Reformation in Germany and France, History of, d'Aubigny, by Dr. E. Honn.
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1 Willard's Guide to the Temple of Fame. "

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1 Brookes' Latin Lessons, by A. S. Barnes & Co.
1 Clarke's Grammar.
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1 Martel's Elements.
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1 Main's introduction to Latin Syntax.

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4 Blackstone's Commentaries.
1 Edward's Treaties, by T. G. Tracy.
2 Gray's Ecclesiastical law.
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8 Land laws of the U. S.
2 Laws of New York.

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3 Revised Statutes of Wisconsin.
2 Statutes at large, by Hon. H. Dodge.
1 Story's Commentaries, abridged.
2 Swift's Digest of the laws of Connecticut.

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1 Hedge's Logic.
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Mathematics.

1 Astronomy and the globes, by A. S. Barnes & Co.,
1 Davies' Algebra. "
1 " Analytical Geometry. "
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1 Geometry, Lib. Us. Knowl.
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2 Hutton's Mathematics, by S. Mills.
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1 Perkins' Higher Arithmetic.
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1 Vince's Fluxions.
2 Webber's Mathematics.
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1 Bartlett's Farrier.
1 Cheney's Natural Method.
1 Combe on digestion, by D. Holt, Jr.

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1 Combe on the management of Children, by D. Holt, Jr.
1 Combe's Physiology, by D. Holt, Jr.
1 Elementary Physiology.
1 Johnson on life, health and disease.
2 Journal of health, by S. Mills.
1 Phillip's Pharmacopoeia Londonensis.
1 Rogers on children, by D. Holt, Jr.

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1 Elements of Dr'ing, Chamber's Course, by A. S. Barnes,
1 Pages Theory and Practice of Teaching. "
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1 Good's Book of Nature, by S. Mills.
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1 Jones' Conversation on Natural Philosophy.
1 Natural Philosophy, lib. Us. Knowl.
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1 Parker's Philosophy, by A. S. Barnes & Co.

Philosophy.

1 Abercrombie on the Intellectual powers, by D. Holt, Jr.
1 Alison on taste.
1 Book of Peace by American Peace Society.
1 Dymond on War. " "
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1 Kame's Elements of Criticism.

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1 Spurzheim's " by D. Holt, Jr.

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7 American Archives, by Hon. H. Dodge.
1 American Constitution, by D. Holt, Jr.
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2 Burgh's Political Disquisitions.
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1 History of the Hartford Convention, by H. A. Tenney.
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1 Paine's Writings.
31 Register of Debates, by Hon. H. Dodge.
1 Young's Science of Government.

Theology.

1 Annotations upon the Holy Bible.
1 Barclay's Apology.
1 Baxter's Saint's Rest,
1 Bellamy's Experimental Religion.
3 Blair's Sermon's.
1 Burrough's Gospel Worship.
1 Butler's Analogy.
1 Butterworth's Concordance.
1 Calvin's Commentaries on the Acts of the Apostles.
1 Campbell and Rice's Debate upon Baptism.
1 Cloud of Witnesses.
1 Collier's Discourses.
1 Confession of Faith;
3 Davie's Sermons.
1 Durham on the Canticles.
1 Diodate's Annotations.
1 Doddridge's Sermons, vol. 2.
1 Doddridge's Rise and Progress.
1 Edward's Discourse on the Bible.
1 Edward's History of the Redemption.
1 Edwards on Religious Affections.
1 Edwards' Sermons.
1 Elliot's Sermons.
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1 Fewell's Sermons.
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Vols.

1 History of the Church, Lib. Us. Knowl.
1 Holy Bible.
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1 Lathrop's do.
1 Law's Call.
1 Linn's Signs of the Times.
1 Logan's Sermons.
1 Mysteries of Romanism, by D. Holt, Jr.
1 Nature and Revelation. do
1 Newcome's Observations on the Lord.
1 New Testament.
2 Newton on the Prophecies.
1 Owen's Doctrine.
1 Paley's Evidences.
1 Philosophy of Religion, Dick.
1 Practical Exposition of the Lord's Prayer, Manten.
1 Prayer and Sacraments in Mohawk.
1 Precious Remedies against Satan's devices, (mutilated.)
1 Reynold's Explication of the 110 Psalm.
1 Saturday Evening.
1 Strong's Sermons. vol 2,
1 Taylor's Holy Living.
1 Theological Magazine, vol, 1.
1 Venn's Essay.
1 Waralaw's Christian Ethics.
1 West on Moral Agency.
1 Zollikofer's Sermons, vol. 2.

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REPORT,

OF THE BOARD OF COMMISSIONERS

OF THE

SCHOOL AND UNIVERSITY LANDS.

REPORT.

Office of the Commissioners of the School and University Lands,
MADISON, JANUARY 1, 1851.

To His Excellency NELSON DEWEY;
Governor of the State of Wisconsin:

By section seven of article ten, of the Constitution of the State of Wisconsin, the Secretary of State, Treasurer and Attorney General are made a board of commissioners for the sale of the school and university lands, and for the investment of the monies arising therefrom.

The legislature at its annual session in 1849, passed an act entitled "An act in relation to the school and university lands, the sale and superintendence thereof, and the powers and duties of commissioners of said lands"—which act was approved April 2d, 1849.

By the 56th section of said act it is made the duty of said commissioners, to report annually to the legislature, of their official proceedings under its provisions.

By a subsequent act, approved January 28th 1850, it was made the duty of the commissioners to make said report to the legislature through the executive.

In compliance with the provisions of the constitution and the act above referred to, we have the honor to submit the following,

REPORT:

The commissioners, agreeably to the provisions of the act, commenced the sale of the school and university lands, and the investment of the proceeds arising therefrom, in the county of Waukesha, on the first day of May 1850, and continued the sales without intermission, until the 13th day of November, 1850—during which period all the school and university lands in the following counties, were offered for sale, to wit: Waukesha, Walworth, Kenosha, Racine, Milwaukee,

Washington, Sheboygan, Fond du Lac, Marquette, Columbia, Dodge, Jefferson, Rock and Dane.

Accompanying this report will be found abstracts by which it fully appears what quantity of land has been sold or leased, the amount received therefor, the amount of money received, the amount of money loaned in each county, and on what terms, and the amount of purchase money unpaid.

By the accompanying abstracts marked A and B, it will appear that the total quantity of school lands in all the counties in which lands have been offered by the commissioners is 148,021 45 100 acres.

Which was appraised at the sum of		$682,044 84
Of which there has been sold by the commissioners 89,757 70-100 acres, for the sum of		444,265 19
Being an advance on the appraisal of		24,323 69
Leaving unsold of the lands offered, 58,263 30-100 acres, which are appraised at		262,103 34
The total amount of principal paid down on said sales is,		57,617 38
Leaving the total amount of principal unpaid,		326,539 87
The total amount of interest paid to 1st Jan'y. 1851, on the unpaid principal, is	11,830 05	
And the amount of interest paid as aforesaid, in advance for the year 1851, is	1,078 50	
The amount received from the U. S. treasury as 5 per cent on the sales of government lands is		25,537 56
Which am't has been loaned to the state university and interest rec'd thereon, to the am't of		1,577 63
The total am't received from all other sources, belonging to the school fund, is		343 09
Making a sum total of principal for 1850, of		467,057 99
From which should be deducted amount paid for appraisal of lands,		2,466 46
Leaving a balance of		$464,571 44

The total am't of money received for lands sold and loaned by the commissioners in 1851, is		57,453 64
Upon which sum interest in advance was received to the amount of		4,075 05
To which should be added the amount of interest received on loan to university,		577 63
Together with amount of interest paid on balance of principal to Jan. 1, 1851,		11,880 05
And the amount of interest paid in advance for the year 1851,		1,078 30
Making a total amount of interest,		18,561 03
The total amount of the sale of the school section in Racine, in 1849, was		74,474 72
Upon which there was paid down as principal	9,511 86	
And the am't of installment of principal paid in June 1850,	7,200 91	16,712 77
Leaving a balance unpaid of principal,		57,761 95
There was loaned of the principal received by the commissioners in 1849	8,400 00	
And paid at the same time, for appraisal of land	951 75	
There was received by the commissioners as interest in advance on money loaned,	588 00	
Which was apportioned among the several counties by the state superintendent for the support of com'n schools in the year 1850.		
There was received from the sale of said section in 1850, on account of installment of principal due, the sum of		7,200 91
For interest on the unpaid balance of the purchase money,	4,469 44	

For intereft on loans made in 1849,	518 00	
To which should be added the amount of interest due in June next, on the unpaid balance of purchase money,	4,043 34	
Also the amount above mentioned as received by commissioners in 1850,		18,561 03
And the amount of interest due in the course of the present month in all the counties, on unpaid purchase money,		23,022 01
Making a total amount of interest received,		$50,613 82
From which deduct amount above mentioned as interest in advance for 1851,	1,078 30	
And am't paid by commissioners for books, advertising, &c.,	1,818 75	2,896 05
Leaving a total balance of interest, of		*47,716 77

Which will be subject to apportionment by the state superintendent, for the support of common schools during the year 1851,

The total amount of the school fund arising from the lands already sold, will appear from the following figures:

Total amount of lands sold in 1850,	$444.265 19
do do do 1849,	74,474 72
Amount of money received from U. S. treasury	22,537 56
do do do from all other sources,	343 09
	$541,620 56

*Of this amount it is probable there will only be subject to apportionment the balance which is left after deducting the interest mentioned as due on the Racine school section; being one year's interest on the sum of $57,761 95, amounting to the sum of $4,143 34, which is not due until June 1851.

From which should be deducted the total am't paid for appraisal of lands, 3,526 15

Total amount of school fund 1st Jan'y 1851 $538,094 21

Herewith, marked F, will be found an abstract of the sales of university lands, showing the total quantity sold to be 1,058 98-100 acres, for the gross sum of 10,899 28

On which there was paid by purchasers as first installment the sum of 1,623 28

Showing a balance unpaid of 9,276 00

Of the amount paid on account of purchase money, the following sum was loaned by the commissioners in pursuance of law 1,170 00

Amount paid for appraisals, 16 40

Total am't loaned and paid for appraising 1,186 40

Leaving in the treasury subject to be loaned, 436 88

Interest to 1st Jan'y 1851, was received on the unpaid purchase money, am'ting to the sum of 359 77

do on account of loans, 81 90

Total income to 1st January, 1851, $441 67

To the above may be added the amount of interest due during present month on unpaid portion of purchase money. 649 32

Total amount subject to be drawn by state University for the present year. $1,090 99

The statement submitted herewith, marked C, exhibits the entire amount of moneys loaned by the commissioners, including the loans to the University, showing the amount loaned in each county, and to whom.

Total amount loaned from the school fund, $79,991 20

do do from university fund, 1,170 00

Total amount of interest received, $81,161 20

The statement marked D, shows the amount of interest received for money loaned, and from whom.

Total amount received in 1850, on loans from school fund,	$5,598 37
do do do from university fund,	81 90
Total amount of interest received on loans,	$5,680 27

Statement marked F, shows the expenditures made by the commissioners, for books, stationery, printing, advertising &c. in the transaction of the business connected with the sale of land, and loan of the money, amounting to the sum of, 1,818 75

In the general statement of receipts on account of the principal of the school fund, there appears to have been received from "all other sources" the sum of $343 09

Which sum is made up of the following items:

Amount of fines paid over by county treasurers,	143 09
do do collected from bidders in pursuance of sec. 13, chap. 24, revised statutes,	200 00
	$343 09

In addition to the above, fines have been assessed against bidders under the provisions of the law above referred to, amounting to $1,125 00

Which the commissioners have been unable to collect, as yet, owing to want of sufficient time to remain in the places where the same were assessed. Prompt measures will, however, be taken at the earliest opportunity to enforce a payment of the same.

While it has been the care of the commissioners that all the title intended to be conveyed by the legislature to the purchasers, has in each instance been fully vested in them, they have so framed the certificates required to be given, (reference being made to duplicates of the same, on file in the office of the secretary of state) as to guard sufficiently the rights and interests of the fund and carry out the intention of the statute.

The commisioners deeming the statute in reference to the form of the mortgage given, merely directory, considered themselves at liberty and believed it to be their duty to adopt a form containing all the substance of the one given in the statute, together with all the covenants usually contained in the safest and most appproved forms of mortgages. By so doing they were not imposing any hardship upon the mortgagor, and as far as the form of the mortgage is concerned, placing the security of the loan beyond any contingencies that can arise.

Owing to the imperfect manner in which records were kept in former years after the organization of a territorial government, and the loose way in which all transactions relative to real estate were conducted, and the crection of new counties out of old ones, rendered necessary by the increase of population, the neglect of the new counties to transcribe to their books records properly belonging there, rendered the loaning of a large amount of money in small sums exceedingly vexatious and somewhat hazardous.

The 79th section of the act referred to, requires the person applying for a loan, among other things, to produce and file with the commissioners the certificate of the clerk of the circuit court and register of deeds of the county in which the lands were situated, showing that there was no incumbrance, &c.. upon the lands offered as security.

Had the commissioners been satisfied merely to comply with the letter of the statute and require simply the certificate of the said officers of the county in which the land was located, the security in many instances would have been imperfect, and in some cases entirely worthless. We would therefore suggest the propriety of so amending the law as to require the person applying for a loan, to produce certificates from the proper officers of every county where a lien upon his land might exist.

The commissioners in every instance, where a loan of the school fund has been made, have required all the evidences

necessary in their judgement to be presented to them. prior to the loan; without restricting themselves in cases where any doubt could exist, to the requirements of the statute, and it affords them great pleasure to state that in every instance they have required and obtained the most ample security for the re-payment of the sum borrowed.

By section 10. a discretionary power is vested in the commissioners, relative to the amount of the percentage to be paid down at the time of the sale, authorizing them to demand and receive upon the sale any amount in their discretion, ranging from 10 to 75 per cent of the purchase money.

The commissioners considered it their duty, under this section, in each instance to receive as small a percentage as they deemed prudent to secure the permanency of the sale; believing that the land itself furnished as perfect security for the balance left unpaid, as could be otherwise obtained, thus diminishing the expense of securing the fund against loss, and at the same time extending to the purchaser a long credit at a moderate rate of interest, thereby increasing the number of sales at enhanced prices.

By the provisions of the act before referred to; authorizing the sale of the school and university lands, the pre-emption right to purchase certain portions of said lands at their appraised value, was secured to all persons who had brought themselves within the provisions of that portion of the act referring to pre-emptions.

The legislature at its last annual session passed an amendatory act establishing ten dollars per acre as the minimum price of the university lands; the appraised value of said lands being much less in most iustances under the old act than the minimum price fixed by the amendatory act.

It frequently occurred during the sales in the different counties that applications were made for pre-emptions under the old act, by persons who had entered upon the land prior to the passage of the act amending the same; and the question presented to the commissioners was, whether the person who

had entered upon the land and claimed a pre-emption by virtue of his entry under the old act, was entitled to pre-empt the land upon the payment of the amount at which the same was originally appraised; or whether the minimum price fixed by the amendatory act was the least sum which the commissioners were authorized to receive. Settlers had gone on the land in good faith and made valuable improvements thereon, relying for the protection of their rights, upon the then existing law of the land. Clearly, if the lands are sold according to the provisions of the new act, great hardship and injustice will be done to that class of our honest and deserving citizens. Taking into consideration the fact that perhaps the settler had acquired a vested right in the land, which ought not and which could not be safely disturbed, we deemed it but prudent in all cases when those questions were raised and urged, to withdraw the lands from market. We invite the attention of the legislature to the fact, and leave them to take such action in the premises as they in their discretion shall deem proper. We also submit herewith a communication from Hon. Stoddard Judd, relating to the subject of university lands, to which your attention is invited.

Our experience has taught us that that portion of the act which confers upon the commissioners the power of granting pre-emption rights, is imperfect and incomplete. The 58th section of the act provides that any person or persons at any time before the day of sale, may prove up their right of pre-emption before the commissioners, by the affidavits of two or more disinterested persons, who are citizens of the state. It has frequently occurred during the sale of the lands, that different parties have appeared before the commissioners, and claimed the right of pre-emption to the same lot of land—each party presenting affidavits sufficient under the law to entitle him to such right.

The commissioners by the act not having power to receive counter affidavits, or to call witnesses upon the stand, found themselves placed in exceedingly perplexing situations—it be-

ing difficult, and in many instances impossible, to determine in a manner satisfactory to themselves, what were the rea rights of the respective parties.

We would therefore suggest to the legislature the propriety of amending the act so as to confer upon the commissioners powers similar to those possessed by the officers of the general land office.

By an act entitled, "an act to provide for the appraisal and sale of school lands," approved Feb. 9th, 1850, the legislature empowered the secretary of state, treasurer and attorney general to offer for sale, whenever in their judgement it would be for the best interests of the school fund so to do, certain portions of the five hundred thousand acres of land referred to in the act. The said lands could not be offered for sale until they had been duly appraised, and the legislature which passed the act, reserved to themselves alone, the right to appoint the appraisers at their then session, which they neglected to do. Hence the act was, and still is, inoperative.

In view of the depredations constantly being committed in the now thickly inhabited portions of the state, either by trespass or otherwise, upon the school and university lands, (the timber and material upon many of which form no small portion of their value,) the difficulty and expense of preventing such depredations, or of prosecuting persons committing them, and the benefits to be derived from a rapid settlement of the country, we would suggest the propriety of offering such lands at an early day, considering that the loss by trespasses committed upon the same, will be greater than the enhanced value created by the lapse of time.

The importance of the school and university funds as regards the future prospects and welfare of our state can scarcely be estimated; and the commissioners would respectfully suggest that the careful attention of the legislature be directed to the law relative to the sale of the lands and the investment of the proceeds, so that nothing which their wisdom and experience can suggest as necessary to secure the safety and permanency of the fund may be left undone.

By attaining this result, the more rapid developement of our natural resources will be secured, and an addition, which must increase with time, made to our favorable and already wide-spread reputation abroad.

The influence and power of every state, the stability of its institutions, and the happiness of the citizens, must, to a very great extent, depend upon the mental cultivation and training of its youth; and it is a matter of which we may be justly proud, and upon which we may base bright anticipations of our future greatness, welfare and renown, that the control for educational purposes of such vast resources is given to us.

Its influence in our own generation, will be great indeed, but who can calculate the effect, if not diverted from its proper channel, which it will produce when our children and children's children occupy our places.

All of which is respectfully submitted.

WM. A. BARSTOW,
J. C. FAIRCHILD,
S. PARK COON,
Commissioners.

"A."

Abstract of Sales of School Lands, by Commissioners, in 1850.

COUNTY.	Town.	Range.	Section.	Whole number of Acres.	Appraised value of Whole.	Number of acres unsold.	Appraised value of acres unsold.	Number of acres sold.	Appraised value of lands sold.	Amount sold for.	Amount of principal received.	Amount of interest received.	Amount unpaid on sales, & drawing 7 per cent interest.
Waukesha,	5	17	16	640	1218 24			640	1218 24	1431 98	463 75	43 05	968 23
	5	18	do	640	2668 24			640	2668 24	3433 28	685 86	128 19	2747 42
	5	19	do	640	2768 24			640	2768 24	2770 10	621 50	100 64	2148 60
	5	20	do	640-98	2373 77			640 98	2373 77	2509 03	468 18	97 17	2040 85
	6	17	do	588-93	640 61			588 93	640 61	714 77	89 23	32 18	625 54
	6	18	do	640	2138 24			640	2138 24	2491 12	343 10	100 39	2148 02
	6	19	do	640	6358 02	90	802 37	550	5555 65	6060 00	369 69	238 01	5190 31
	6	20	do	640	3098 24			640	3098 24	3312 12	775 22	141 28	3036 90
	7	17	do	509-88	3079 21			509 88	3079 21	3434 73	799 44	123 71	2635 29
	7	18	do	511-87	1384 29			511 87	1384 29	1384 29	140 29	58 08	1244 00
	7	19	do	640	1858 24			640	1858 24	3347 14	490 87	134 71	2856 27
	7	20	do	640	3198 44			640	3198 44	4104 12	1257 12	132 92	2847 00
	8	17	do	638-90	1444 92			638 90	1444 92	1453 78	303 96	53 00	1149 82
	8	18	do	500-14	2027 88			500 14	2027 88	2207 95	280 48	89 65	1927 47
	8	19	do	640	2108 24			640	2108 24	2194 10	229 16	86 89	1964 94
	8	20	do	640	2518 24			640	2518 24	2552 10	399 16	102 89	2152 94
				9790-70	38883 06	90	802 37	9700 70	38080 69	43900 61	8217 01	1663 39	35683 60
Walworth,	1	15	16	640-58	3764 90	120-8	724 39	520 60	3040 51	3040 51	335 29	95 75	2705 22
	1	16	do	632-24	3582 34	118-1	597 33	514 20	2985 01	2985 01	303 01	117 96	2682 00
	1	17	do	639-52	2670 38	401-78	1544 53	237 74	1125 80	1125 80	113 20	44 46	1012 60
	1	18	do	633-16	4161 94	196-62	1710 46	436 54	2451 48	2477 12	251 12	92 03	2226 00
	2	15	do	638-85	5020 79	459-25	3617 67	179 60	1403 12	1403 12	176 12	43 04	1227 00
	2	16	do	651-52	6305 93	79-43	757 13	572 09	5548 80	5558 55	563 90	214 94	4994 65
	2	17	do	631-58	3693 12	78-61	709 99	552 97	2983 13	2993 13	413 13	108 89	2580 00
	2	18	do	639-91	5358 34			639 91	5358 34	5604 59	840 59	201 83	4764
	3	15	do	635-77	5578 92	615-77	5417 67	20	161 25	161 25	16 25	4 73	145
	3	16	do	640	4761 35	220	1807 60	420	2953 76	2953 76	396 75	67 58	2557
	3	17	do	640	3260 00	360	2291 25	280	968 75	968 75	97 75	37 77	871
	3	18	do	640	5666 13	280	3130 00	360	2536 13	2536 13	551 13	87 14	1985
	4	15	do	638-51	2387 02			638 51	2387 02	2387 02	271 02	91 44	2116
	4	16	do	634-55	2251 06	90	8 25	633 65	2242 81	2313 06	323 06	87 65	1990
	4	17	do	640	5820 00	520	5016 25	120	803 75	803 75	80 75	31 74	723
	4	18	do	544	3315 59			544	3315 59	3617 93	610 84	132 49	3007 09
				10118-29	67597 86	3450-48	27332 57	6667 81	40265 29	40929 47	5343 91	1464 44	35585 56
Kenosha,	1	19	16	636-86	3760 00			636 86	3760 00	4042 50	549 50	147 37	3493 00
	1	20	do	546-93	5260	198-18	1824 00	438 75	3436 00	2502 00	699 00	75 98	1803
	1	21	do	637-04	5880	39-56	362 50	597 48	5517 50	5535 00	875 00	194 62	4660
	1	22	do	634	3980			634	3980 00	4264 00	456 00	160 79	3808
	2	20	do	632-84	4370	395-55	2755 00	236 79	1615 00	1615 00	163 00	60 51	1452
	2	21	do	643-19	3560	160-65	950 00	482 64	2610 00	2610 00	272 00	97 77	2338
	2	22	do	646-55	4920	80-31	605 00	566 24	4315 00	4733 00	475 50	179 36	4257 50
				4376 91	32729 00	874-15	6496 50	3502 76	25233 50	25301 50	3490 00	916 40	21811 50
Racine,	2	19	16	629-32	2900 00	117-61	307 50	511 71	2592 50	2592 50	262 50	95 16	2330 00
	3	19	do	635-05	3070 00			635 50	3070 00	3667 50	570 50	126 48	3097
	3	20	do	633-85	3623 51			633 85	3623 51	3775 26	434 26	136 41	3341
	3	21	do	640	3720 08			640	3720 08	3825 00	385 00	140 47	3440
	3	22	do	628-25	6277 00			628 25	6277 00	6642 00	668 00	213 86	5974
	4	19	do	644-54	2650 00	201 46	1392 50	443 80	1257 50	1257 50	128 50	46 09	1129
	4	20	do	594	777 00			594	777 00	1068 00	115 00	38 94	953
	4	21	do	640	3940 00			640	3940 00	3940 00	396 00	144 73	3544
	4	22	do	640	4276 13			640	4276 13	4276 13	435 13	152 78	3841
	4	23	do	138-89	1123 12			138 89	1123 12	1123 12	136 12	49 31	987
	4	4c'y l's			113 00			4city lots	113 00	538 00	53 00	19 67	485
				5823-90	35099 84	319 07	1700 00	5504 83	30769 84	32705 01	3584 01	1184 90	29121 00
Milwaukee	5	21	16	640	2613 28			640	2613 28	3140 98	322 98	107 65	2848
	6	do	do	do	9773 35	400	5789 97	240	3983 98	3983 98	496 98	127 43	3487
	7	do	do	do	10631 12			640	10631 12	10631 12	2005 12	324 94	8626
	8	do	do	do	6813 33	280	3123 34	360	3689 99	3786 66	692 66	107 49	3094
	7	22	do	609-57	37534 25	542 16	31857 00	67 41	5677 25	5677 25	572 24	179 83	5105 01
	6	do	do	639-90	15683 02			639 90	15683 02	15683 02	2105 02	496 49	13578
	8	do	do	536-19	2155 64			536 19	2155 64	2229 02	239 83	75 57	1989 19
	5	do	do	640	3880 00			640	3880 00	3938 50	597 50	123 37	3341
				4985 66	89083 99	1223 16	40770 31	3793 50	48314 28	49070 53	7023 30	1542 77	42038 20

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Abstract of Sales of School Lands, by Commissioners, in 1850.---Continued.

COUNTY.	Town.	Range.	Section.	Whole number of Acres.	Appraised value of Whole.	Number of acres unsold.	Appraised value of acres unsold.	Number of acres sold.	Appraised value of lands sold.	Amount sold for.	Amount of principal received.	Amount of interest received.	Amount unpaid on sales, & drawing 7 per cent interest.
Jefferson,	5	13	16	486 80	1408 53	40	122 30	446 80	1286 23	1446 14	149 14	31 52	1297 00
	5	14	do	632 80	2808 14			632 80	2808 14	3468 18	501 18	71 07	2967 00
	5	15	do	640	1316 80			640	1316 80	1546 40	156 40	33 79	1390 00
	5	16	do	632 16	1918 45	79	152 05	553 16	1766 40	1766 40	182 40	38 52	1584 00
	6	13	do	655 73	2682 99			655 73	2682 99	2688 93	274 93	58 38	2414 00
	6	14	do	640	3036 86			640	3036 80	3370 20	504 20	69 60	2866 00
	6	15	do	640	1086 80	640	1086 80						
	6	16	do	283	812 38	227 50	698 05	55 50	114 33	114 33	12 33	79	102 00
	7	13	do	637	1786 28	80	64 60	557	1721 68	2226 10	223 10	48 68	2003 00
	7	14	do	637 80	2475 94			637 80	2475 94	2533 44	256 44	55 34	2277 00
	7	15	do	651 76	2727 33	205 12	792 33	446 64	1935 00	1935 00	197 00	42 21	1738 00
	7	16	do	640	2026 80			640	2026 80	2026 80	277 80	42 53	1749 00
	8	13	do	640	906 80	120	126 90	520	779 90	779 90	98 90	18 62	681 00
	8	14	do	643 27	1967 65	202	617 64	441 27	1350 21	1350 21	137 21	18 22	1213 00
	8	15	do	640	3236 80			640	3236 80	3236 80	364 80	68 87	2872 00
	8	16	do	682 48	2647 47	40	242 30	642 48	2405 17	2405 17	596 17	43 50	1809 00
				10282 30	32846 16	1633 12	3209 97	8649 18	28943 19	30894 00	3932 00	641 64	26962 00
Sheboygan,	13	20	16	640	1317 21	520	1000 81	120	316 40	316 40	34 45	6 02	281 95
	do	21	do	do	1977 05	640	1977 05						
	do	22	do	do	2210 00	640	2210 00						
	do	23	8	120	836 52	120	627 14	40	209 38	209 38	21 38	1 01	188 00
	14	20	16	640	1360 00	640	1360 00						
	do	21	do	do	3067 51	640	3067 51						
	do	22	do	do	3009 90	640	3009 90						
	do	23	do	do	3259 56	640	3259 56						
	15	20	do	do	1677 51	400	982 08	240	695 43	740 05	76 05	10 12	664 00
	do	21	do	do	2411 63	80	288 60	560	2123 03	2123 03	225 03	38 65	1898 00
	do	22	do	do	2483 24	640	2483 24						
	do	23	do	do	5899 79			640	5899 79	5908 03	609 30	112 04	5299 00
	16	20	10	320	997 52	320	997 53						
	do	21	16	640	1287 64	640	1287 64						
	do	22	do	do	2175 26	560	1890 80	80	284 46	284 46	28 46	5 46	256 00
	do	23	do	do	2215 80	640	2215 80						
				9440	36085 14	7760	26557 65	1680	9528 49	9581 62	994 67	173 30	8586 95
F. du Lac,	13	18	16	640	1456 00	440	911 00	200	445 00	445 00	49 00	7 69	396 00
	do	19	do	do	1071 20	640	1071 20						
	14	14	do	do	2236 00	120	393 00	520	1843	1843	196	27 73	1647
	do	15	do	do	2286	200	645	440	1641	1641	174	26 66	1467
	do	16	do	do	1836	520	1443	120	393	393	42	6 82	351
	do	17	do	do	2646	40	111	600	2535	2535	267	44 08	2268
	do	18	do	do	1336	160	244	480	1092	1109	121	19 36	988
	do	19	do	do	697	460	159 20	480	538 40	538 40	82 60	10 23	455 80
	15	14	do	do	2376	80	272 00	560	2104 00	2146 00	226 00	37 32	1920 00
	do	15	do	do	2206	200	585	440	1621	1660	175	28 85	1485
	do	16	do	do	1346			640	1346	1346	149	23 32	1197
	do	17	do	do	6240			640	6240	8024	832	139 61	7192
	do	18	do	do	2806			360	2806	2894	303	50 34	2591
	do	19	do	do	2016	280	817 00	640	1199	1248	132	21 67	1116
	16	14	do	do	2856			640	2856	2856	300	49 23	2556
	do	15	do	do	1606			640	1606	1611	274	26 00	1337
	do	16	do	do	1891	80	232	560	1659	1659	178	28 80	1481
	do	17	do	do	1151 60			640	1151 60	1669 40	176 40	28 99	1493
	do	18	do	do	1996 00			640	1996 00	2524 00	262 00	43 85	2262
	do	19	do	do	1566	80	242	560	1354	1367	147	23 70	1220
	17	18	do	160	644			160	644	698	73	12 15	625
	do	19	do	99 76	242			97 76	242	242	26	4 22	216
				13037 76	42437 40	3000	7125 40	10037 76	35312 00	38448 80	4185 00	660 62	34263 80
Columbia,	10	7	16	640	1456 24	520	1811 32	120	364 92	364 92	37 92	4 29	327 00
	do	8	do	640	2346 24	640	2346 24						
	do	9	do	640	946 24	600	946 24	40	41 64	41 64	4 64	49	37 00
	do	10	do	645 82	1637 99			646 82	1667 99	1667 79	183 79	18 61	1484 00
	do	11	do	662 32	1392 81	495 4	1040 96	167 28	351 75	351 75	36 75	4 22	315 00
	do	12	do	638 10	2482 42	558 24	2159 51	79 86	322 88	322 88	32 88	2 20	290 00
	11	8	do	626 55	1124 04	626 55	1124 04						
	do	9	do	640	1826 24	560	1562 96	80	263 28	263 28	27 28	3 20	236 00
	do	10	do	640	1382 24	440	874 04	200	508 20	508 20	53 20	6 08	455 00
	do	11	do	634 16	1538 35	634 16	1538 35						
	do	12	do	633 6	1565 46	119	242 86	514 6	1322 60	1322 60	138 60	15 85	1184 00
	12	8	do	565 26	1736 19	114 51	447 11	460 75	1289 08	1290 69	135 69	15 52	1155 00
	do	9	do	393 47	1968 18	393 47	1968 18						
	do	10	do	629 53	3696 48	377 14	2417 24	252 39	1279 24	1307 96	135 96	15 73	1172 00
	do	11	do	616 7	2240 98	312 4	1132 44	304 3	1108 54	1108 54	114 54	13 34	994 00
	do	12	do	679 93	2624 00	291 1	879 06	388 92	1744 94	1744 94	179 94	20 20	1565 00
	13	9	do	136 29	895 94	136 29	895 94						
	do	10	do	618 23	2629 68	618 23	2629 68						
	do	11	do	633 23	1727 78	593 71	1528 54	39 52	199 24	199 24	20 24	2 40	179 00
	do	12	do	620 39	4928 31	325 63	2920 92	294 76	2007 39	2007 39	210 39	22 53	1797 00
				11942 41	40235 71	8355 23	27794 02	3587 39	12441 69	12501 82	1311 82	144 66	11190 00

A. Abstract of Sales of School Lands, by Commissioners, in 1850.—Continued.

COUNTY.	Town.	Range.	Section.	Whole number of Acres.	Appraised value of Whole.	Number of acres unsold.	Appraised value of acres unsold.	Number of acres sold.	Appraised value of lands sold.	Amount sold for.	Amount of principal received.	Amount of interest received.	Amount unpaid on sales, & drawing 7 per cent interest.
Rock,	1	10	16	640	2336 32	480	1739 92	160	646 40	646 40	67 40	19 24	579 00
	1	11	do	do	4145 60	640	4145 60						
	1	12	do	do	4465 60	600	4144 00	40	321 60	321 60	32 60	9 54	289 00
	1	13	do	do	5895 60	560	5212 40	80	683 20	683 20	69 20	20 27	614 00
	1	14	do	do	4825 60	480	3619 20	160	1206 40	1206 40	122 40	35 76	1084 00
	2	10	do	do	2516 80	280	1100 80	360	1416 00	1416 00	144 00	41 46	1272 00
	2	11	do	do	1245 60			640	1245 60	1245 60	131 60	36 54	1114 00
	2	12	do	do	3625 60			640	3625 60	4804 40	485 40	141 68	4319 00
	2	13	do	do	4385 60	440	2977 60	200	1408 00	1408 00	143 00	41 50	1265 00
	2	14	do	do	3165 60			640	3165 60	3178 00	325 00	93 62	2853 00
	3	10	do	do	2405 60	160	546 40	480	1859 20	1859 20	192 20	54 83	1667 00
	3	11	do	do	2905 60			640	2905 60	2905 60	297 60	85 84	2608 00
	3	12	do	do	4355 60			640	4355 60	5067 80	511 80	149 50	4556 00
	3	13	do	do	5693 60	200	2156 80	440	3536 80	3536 80	359 80	104 00	3177 00
	3	14	do	do	2476 84	620	2235 16	20	241 68	241 68	61 68	5 92	180 00
	4	10	do	do	2895 60	249	969 60	400	1926 00	1926 00	376 20	51 95	1637 00
	4	11	do	do	2625 60			640	2625 60	2625 60	279 60	80 40	2346 00
	4	12	do	do	6040 70			640	6040 70	8136 80	864 80	238 94	7272 00
	4	13	do	do	3236 80	460	2288 80	180	948 00	948 00	139 00	26 54	809 00
	4	14	do	do	2255 60			640	2535 60	2525 60	260 60	74 70	2015 00
				12800	71549 46	5160	31136 28	7640	40693 18	44779 88	4863 88	1312 23	39916 00
Washingt'n	9	18	16	640	3052 80	40	121 20	600	2931 60	2931 60	291 60	75 85	2640 00
	9	19	do	do	2559 20	120	603 60	520	2255 60	2155 60	237 60	60 85	2018 00
	9	20	do	do	4720 60	40	321 20	600	4378 00	4399 40	557 40	113 76	3842 00
	9	21	do	do	4219 20	40	201 20	600	4018 00	4220 40	542 40	108 32	3678 00
	9	22	do	140	724 80	120	603 60	40	121 20	121 20	12 20	2 09	109 00
	9	do	17	160	644 80	160	644 80						
	10	18	16	640	3279 20	200	886 00	440	2393 00	2427 00	244 00	64 79	2183 00
	do	19	do	do	2699 20	640	2699 20						
	do	20	do	do	1299 20	240	327 20	400	972 00	972 00	117 00	20 79	855 00
	do	21	do	do	2659 20	240	1127 20	400	1532 00	1532 00	154 00	41 53	1378 00
	do	22	do	do	5040 80	218	2226 70	420	2814 10	2814 10	308 10	74 63	2506 00
	11	18	do	do	2959 20	640	2959 20						
	do	19	do	do	2819 20	640	2819 20						
	do	20	do	do	2179 20	440	1573 20	200	606 00	606 00	133 00	14 25	473 00
	do	21	do	do	3149 20	640	3149 20						
	do	22	do	do	5833 72	40	324 62	600	5509 10	5624 37	757 37	141 77	4867 00
	12	18	do	do	2379 20	640	2379 20						
	do	19	do	do	2259 20	560	2016 80	80	242 40	242 40	24 40	4 01	218 00
	do	20	do	do	3139 20	640	3139 20						
	do	21	do	do	1839 20	600	1778 00	40	61 20	61 20	6 20	1 65	55 00
	do	22	do	do	2499 20	640	2499 20						
	do	23	18	169 95	612 45			169 95	612 45	612 45	102 45	13 82	510 00
				12647 95	60846 57	7538	32399 72	5109 95	28446 85	28819 72	3487 72	738 04	25332 00
Dodge,	13	17	16	630 4	2315 41	39 34	160 12	590 70	2155 29	2155 29	233 29	50 68	1922 00
	9	13	do	640	1251 20	120	119 60	520	1131 60	1131 46	132 60	26 10	999
	9	14	do	108 81	188 47	68 99	85 87	39 92	102 60	102 60	10 60	2 50	92
	9	15	do	637 31	2336 53			637 31	2336 53	2399 80	366 88	53 54	2932 92
	9	16	do	648 98	1144 53	119 88	148 34	529 10	996 19	1573 06	349 98	35 23	1223 08
	9	17	do	635 72	1086 96			635 72	1086 96	1109 16	147 16	26 07	962
	10	13	do	640	2938 20	400	1841 00	240	1097 20	1097 20	113 20	23 44	984
	do	14	do	630 26	1919 82			630 26	1619 80	1982 47	206 47	48 26	1776
	do	15	do	633 6	726 66			633 6	726 65	839 21	165 21	18 13	674
	do	16	do	631 84	2480 11	218 94	923 48	412 96	1556 63	1556 63	142 51	34 04	1414 12
	do	17	do	644 94	2251 73			644 94	2251 73	2629 98	725 98	51 73	1904
	11	13	do	672 16	717 01	477 12	654 55	195 4	62 46	62 46	9 46	1 40	53
	do	14	do	646 70	1286 90	285 11	685 20	361 59	601 70	601 70	56 09	10 18	545 61
	do	15	do	655 50	2615 56			655 50	2615 56	2624 21	638 21	53 95	1986
	do	16	do	642 68	1174 37	161 27	424 95	481 41	614 95	614 95	66 95	12 68	548
	do	17	do	639 93	3165 16	439 93	2170 45	200	994 71	994 71	101 71	24 28	893
	12	13	do	435 98	1275 96	113 90	205 26	322 8	1070 70	1070 70	111 70	25 04	959
	do	14	do	635 4	2640 64	396 90	1619 38	238 14	1021 26	1021 26	106 26	22 30	915
	do	15	do	648 51	1372 05			648 50	1372 05	1825 15	191 15	44 63	1634
	do	16	do	244 86	590 94			244 86	590 94	590 94	73 61	15 92	517 33
	do	17	do	635 45	1718 70	40 28	43 10	595 17	1675 60	1675 60	221 60	39 43	1454
	13	13	do	654 56	1361 56	163 64	186 97	490 92	1174 50	1174 59	122 59	24 01	1052
	do	14	do	629 76	2570 44			629 76	2570 44	2570 44	264 44	61 38	2306
	do	15	do	665 11	2927 15			665 11	3814 92	3814 92	385 92	92 53	3429
	do	16	do	631 32	1927 77	79 24	243 27	522 8	1684 50	1684 50	274 46	20 12	1410 04
				14918 62	43683 82	3124 54	9511 54	11794 80	34037 81	36903 13	5218 03	817 66	31675 10

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Abstract of Sales of School Lands, by Commissioners, in 1850.---Continued.

COUNTY.	Town.	Range.	Section.	Whole number of Acres.	Appraised value of Whole.	Number of acres unsold.	Appraised value of acres unsold.	Number of acres sold.	Appraised value of lands sold.	Amount sold for.	Amount of principal received.	Amount of interest received.	Amount unpaid on sales, & drawing 7 per cent interest.
Dane,	5	6	16	640	1283 92	640	1283 92						
	5	7	do	do	1593 92	640	1593 92						
	5	8	do	do	1673 92	640	1673 92						
	5	9	do	do	1793 92	400	948 70	240	845 22	885 22	89 22	7 02	796 00
	5	10	do	do	2253 92	400	1349 57	240	1085 22	1085 22	113 22	8 53	972
	5	11	do	do	2653 92	160	643 48	480	2010 44	2010 44	244 44	14 95	1766
	5	12	do	do	2933 92	240	765 22	400	2168 70	2166 70	224 70	18 07	1944
	6	6	do	do	1573 02	560	1371 28	80	201 74	201 74	21 74	1 70	180
	6	7	do	do	1773 92	640	1773 92						
	6	8	do	do	1993 92	80	261 74	560	1732 18	1732 18	208 18	14 95	1524
	6	9	do	do	3333 92	160	803 48	480	2530 41	2530 44	258 44	18 04	2272
	6	10	do	do	2663 92	640	2663 92						
	6	11	do	do	2463 92	240	985 25	400	1478 70	1478 70	155 70	12 30	1323
	6	12	do	do	1732 18	560	1490 44	80	241 74	241 74	25 74	1 16	216
	7	6	do	do	653 92	640	653 72						
	7	7	do	do	1393 92	640	1393 92						
	7	8	do	do	2113 92	600	1933 05	40	180 87	180 87	18 87	1 51	162
	7	9	do	do	2653 92			640	2653 92	3449 57	354 57	28 78	3095
	7	10	do	do	3253 92			640	3253 92	3955 00	600 00	49 73	3355
	7	11	do	do	1961 92	440	1229 57	200	732 35	732 35	75 35	4 82	656
	7	12	do	do	2764 57	200	704 35	440	2060 22	2060 22	211 22	17 18	1849
	8	6	do	do	1713 92	560	1472 18	80	241 74	241 74	25 74	1 54	216
	8	7	do	do	1273 05	640	1273 05						
	8	8	do	do	2713 92	640	2713 92						
	8	9	do	do	2043 05	240	725 22	400	1317 83	1317 87	246 83	9 28	1071
	8	10	do	do	1813 92	400	1088 70	240	725 22	725 22	77 22	6 00	648
	8	11	do	do	2533 92	600	2373 05	40	160 87	160 87	16 87	1 34	144
	8	12	do	do	3213 92	400	1848 70	240	1365 22	1365 22	141 22	11 38	1224
	9	7	do	do	2033 92	560	1772 18	80	261 74	261 74	27 74	2 17	234
	9	8	do	do	2153 92	520	1831 31	120	322 61	322 61	34 61	2 67	288
	9	9	do	do	1653 92	640	1653 92						
	9	10	do	do	1613 92	640	1613 92						
	9	11	do	do	1913 92	640	1913 92						
	9	12	do	do	2628 92	160	663 48	480	1990 44	1990 44	198 44	16 29	1792
				2170	71847 55	15160	44467 09	6560	27561 33	29098 06	3371 06	248 61	25727 00
Marquette,	14	10	16	640	1862 00	240	512 00	400	1350 00	1350 00	143 00	20 31	1207
	14	11	do	640	1192 00	200	290 00	440	902 00	902 00	99 00	13 58	803
	14	12	do	628 20	1672 23	234	553 36	394 20	1118 87	1118 87	344 87	12 49	774
	14	13	do	640	2394 70	120	407 00	520	1987 70	2201 50	229 50	33 36	1972
	15	10	do	462 44	908 02			462 44	908 02	908 02	101 02	13 61	807
	15	12	do	629	1202 00	429	704 50	200	497 50	497 50	52 50	7 50	445
	15	13	do	627 95	2247 06			627 95	2247 06	2465 93	256 93	36 96	2209
	16	12	do	631	1386 89	236 25	338 16	394 75	1048 73	1048 73	248 73	13 55	800
	16	13	do	645 75	4465 59	124	435 10	524 75	4030 49	4615 50	466 30	131 02	4149 20
	17	13	do	495 60	1878 79	4 lots,		495 60	1878 79	1878 79	197 79	28 52	1681
				6046 94	19209 28	1587 25	3240 12	4459 69	15969 16	16986 84	2139 64	310 90	14847 20

RECAPITULATION.

	Whole No. of Acres.	Apprais'd val. of Whole.	No. of acres unsold.	Appraised val of unsold.	No. of Acres sold.	Appsd. val. of lands sold.	Amount sold for.	Am't principl received.	Am't interest received.	Am'tunp'd on sales, at 7 p.c.
WAUKESHA,	9790 70	38883 06	90	802 37	9700 70	38080 69	43900 61	8217 61	1663 39	35683 60
WALWORTH,	10208 29	67597 86	3540 48	27332 57	6667 81	40265 29	40929 47	5343 91	1464 44	35585 56
KENOSHA,	4376 91	32729 00	874 15	7395 50	3502 76	25233 50	25301 50	3490 00	916 40	21811 50
RACINE,	5823 90	35099 84	319 7	4240 00	5504 83	30769 84	32705 01	3584 01	1184 90	29121 00
MILWAUKEE	4985 66	89083 99	1222 16	40769 71	3763 50	48314 28	49070 53	7032 33	1542 77	42038 20
ROCK,	12800	71549 46	5160	30856 28	7640	40693 18	44770 88	4863 88	1312 23	29916 00
WASHINGTON,	12647 95	60846 57	7538	32399 72	5109 95	28446 85	28819 72	3487 72	738 04	25332 00
DODGE,	14918 62	43683 82	3124 54	9646 01	11794 8	34037 81	36903 13	5218 03	817 66	31685 10
JEFFERSON,	10282 30	32846 16	1633 12	3902 97	8649 18	28943 19	30894 00	3932 00	641 64	26962 00
SHEBOYGAN,	9440	36085 14	7760	26556 65	1680	9528 49	9581 62	994 67	173 30	8586 95
FOND DU LAC,	13037 76	42437 40	3000	7125 40	10037 76	35312 00	38448 80	4185 00	660 62	34263 80
MARQUETTE,	6046 94	19209 28	1587 25	3240 12	4459 69	15969 16	16986 84	2130 64	310 90	14847 20
COLUMBIA,	11942 41	40235 71	8355 2	27794 02	3587 39	12441 69	12501 82	1311 82	144 66	11190 00
DANE,	21750	71847 55	15160	44286 22	6560	27561 33	29098 06	3371 06	248 61	25727 00
	148021 44	682044 84	59363 79	266447 54	88657 65	415597 30	439920 09	57171 98	11819 56	332749 91
FOND DU LAC,	Deduct sales		1100 5		120	403 00	403 00	40 10	1 41	362 90
DANE,	from Dec. 9.			4344 20	520	2091 31	2091 31	219 31	5 25	1872 00
SHEBOYGAN,	Deduct app'd				160	368 28	368 28	37 28	1 33	331 00
COLUMBIA,	value, do.				19 85	100 89	100 89	10 89	29	90 00
WALWORTH,					40	401 25	401 25	40 25	1 25	361 00
WASHINGTON,					200	846 00	846 00	85 00	73	761 00
DODGE,					40 20	133 47	133 47	13 47	23	120 00
TOTAL	A. 148021 44	$682044 84	A. 58263 74	$262103 34	A. 89757 70	$419941 50	$444265 19	$57617 38	$11830 05	$386647 81

For additional sales from Dec. 9 to 31, inclusive, see supplementary report, marked B.

"B."

SUPPLEMENTARY REPORT, including sales from December 10, to January 1.

COUNTIES.	DATE.	TO WHOM SOLD.	NO. OF LOT.	T'N.	R'NG	SEC.	NO. OF AC'S.	APP'SD VALUE.	AMOUNT SOLD FOR.	AM'T PR'N CIPAL PAID.	A'MT INT. PAID.	TOTAL AM'T PRINCIPAL DUE.
Fon du Lac,	Dec.10.	Samuel O'Hara,	11	16	19	16	40	121 00	121 00	12 00	44	109 00
		Samuel O'Hara,	14	16	19	16	40	121 00	121 00	12 00	44	109
	12.	Nathan Martin,	15.	16	19	16	40	161 00	161 00	16 10	53	144 90
							120	403 00	403 00	40 10	1 41	362 90
Dane.		Samuel Baird,	12	9	12	16	40	140 87	140 87	14 87	56	126 00
		Samuel Baird,	13	9	12	16	40	200 87	200 87	20 87	72	180
		Samnel Baird,	14	9	12	16	40	180 87	180 87	18 87	65	162
		Jacob Langworthy.	2	5	12	16	40	60 87	60 87	6 87	20	54
		Jacob Langworthy,	3	5	12	16	40	180 87	180 87	18 87	59	162
		Sebastian B. Basford,	3	8	8	16	40	160 87	160 87	16 87	47	144
		Sebastian B. Basford,	4	8	8	16	40	140 87	140 87	14 87	41	126
		John Oleson,	3	5	11	16	40	80 87	80 87	8 87	19	72
		William Smith.	5	8	12	16	40	200 87	200 87	20 87	35	180
		Henry J. Jackson,	8	8	12	16	40	200 87	200 87	20 87	35	180
		Henry J. Jackson,	13	8	12	16	40	200 87	200 87	20 87	35	180
		J.E.Heinrich,G.E.Renter	14	7	8	16	40	160 87	160 87	16 87	19	144
		do do	15	7	8	16	40	180 87	180 87	18 87	22	162
							520	2091 31	2091 31	219 31	5 25	1872
Sheboygan,		Aaron Bender,	7	15	20	16	40	102 30	102 30	10 30	37	92
		Aaron Bender,	8	15	20	16	40	61 38	61 38	6 38	22	55
		Aaron Bender;	9	15	20	16	40	102 30	102 30	10 30	37	92
		Aaron Bender,	10	15	20	16	40	102 30	102 30	10 30	37	92
							160	362 28	368 28	37 28	1 33	331
Columbia,		John O. Jones,	7	12	12	16	19 85	100 89	100 89	10 89	29	90
Walworth,		James Baird,	1	4	17	16	40	401 25	401 25	40 25	1 25	361
Washington,		William Foote,	1	12	19	16	40	161 20	161 20	16 20	14	145
		Jefferson Eggleston,	2	12	19	16	40	161 20	161 20	16 20	14	145
		Allen Foote,	3	12	19	16	40	161 20	161 20	16 20	14	145
		do	4	12	19	16	40	161 20	161 20	16 20	14	145
		Gottleit Klug&F.Bartalt,	6	12	19	16	40	201 20	201 20	20 20	17	181
							200	846 00	846 00	85 00	73	761
Dodge,		Benjamin Fuller,	8	11	16	16	40	133 47	133 47	13 47	23	120
							1100	4344 20	4344 20	446 30	10 49	3897 90

"C."

Statement of loans made by the Commissioners for the sale of School and University Lands, in 1850.

WAUKESHA COUNTY,

Bernard Burk,	300
Orson Reed,	400
John Kelley, Jr.,	100
John Murray,	100
Ala. M. Hackley,	400
James King,	200
Benjamin Hunkins,	400
James Broyan,	150
Thomas Welch,	150
W. D. Babcock,	100
Henry Tew,	150
Robert Charley,	150
George Whitmore,	300
Charles Howard,	100
Thomas Cole,	200
Andrew Snyder,	150
Ward Atwater,	100
F. A. Sprague, Jr.	450
Asa C. Barnes,	200
David Fink,	300
Patrick Carbury,	150
Bernard Flanagan,	100
Jacob H. Kemble,	125
Samuel Reed,	150
Nathan Warfield,	250
Joseph Kay,	200
John Finley,	300
William Costigan,	150
William H. Thomas,	480
John D. M'Donald	300
George C. Pratt,	480
Adam Proudfit,	500
Edw. B. Kelsey,	200
	$7785

WALWORTH COUNTY.

Edwin Brainard,	500
Archibald Woodward,	250
Rufus Cheney,	500
Daniel S. Benton,	200
George Gale,	500
William Pierce,	500
Olney Herrington,	300
Ebenezer Dayton	300
Thomas W. Miller,	300
Jesse Windsor,	400
William Blanchard,	200
Lyman Cowdry,	400
William M'Dougald,	300
William H. Moore,	166
	$4816

KENOSHA COUNTY.

George Vinton,	300
Andrew B. Jackson,	300
James C. McKesson,	241
Benjamin Judd,	157
Galusha J. Pease,	137
Julius L. Gilbert,	250
Haynes French,	200
Anson Pierce,	200
Robert P. Marr,	250
Charles Leet,	300
Peter Martin,	350
Roswell Bourne,	122 50
Emma Way,	100
Joseph Bishop,	100
William O'Brien,	150
William B. Castle,	110
	$3267 50

SHEBOYGAN COUNTY.

Horatio N, Smith,	500

WASHINGTON CO.

George C. Rossman,	500
Frederick W. Horn,	300
Adolphus Zimmerman,	290
Oliver D. Norton,	500
Charles H. Larrabee,	300
Henry Schmitz,	200
William Richards,	200
Henry A. Douglass	375
Patrick Toland,	500
Ernst A. Oekring,	100
	$3175

DODGE COUNTY.

Daniel C. Van Brunt,	100
Whitman Sayles,	300
Almeron Chapman,	200
Solomon Juneau,	400
Joseph Pothier,	150
George W. Green,	250
W. Z. P. Blake,	100
Dorastus K. Cady,	100
Narcisse Juneau,	200
Conner Dempsey,	150
Hollister M. Wright,	100
James Rogers,	150
Allen Nickerson,	200
Bernard Marmion,	100
John Martin,	100
George B. Hotchkiss,	100
William A. Ives,	300
James Hanrahan,	100
Reed Parker,	300
George H. Beers,	150
John Colligan,	100
Martin Quick,	100
Barber Randall,	100
Michael Ames,	100
	$3950

RACINE COUNTY.

Maurice L. Ayres,	300
Nelson R. Norton,	500
James D. Reymert,	500
Archibald Cooper,	300
Orra Van Vleit,	225
Levi Fink,	500
John Bush,	225
Caleb P. Barnes,	500
Delos C. Harrington,	200
Jos. Adams,	200
John Pearson,	200
Jonathan Hulburt,	400
Julius Wooster,	500
Mathew Mortaff,	250
George F. Roberts,	500
Alfred Cary,	300
Gilbert L. Billings,	200
Samuel Steele,	300
Levi Blake,	200
John W. Carey,	500
John Ramsdell,	350
Martin Clancy,	300
Henry B. Roberts,	200
William E. Worden,	250
Salmon F. Heath,	350
Orlando Secor,	500
Milton Moore,	400
Isaac Haight, Jr.	300
Augustus B. Hanchett,	200
William L. Utley,	300
James M. Titus,	300
John Spence,	350
Mark Bump,	200
	$10800

MILWAUKEE CO.

Henry Dyson,	500
Enoch Chase,	278
Timothy O'Brien,	500
Horace Chase,	100
Leonard S. Curtiss,	300
John E. Cameron,	500
James B. Cross,	500
Barzilla Throop,	500
Michael Hanrahan,	100
Francis Huebschman,	300
James Riorden,	100
John J. Orton,	500
Edward M. Hunter,	500
Erastus B. Wolcott,	500
William Brown,	200
Abram D. Smith,	500
Herman Haertell,	200
	$6078

ROCK COUNTY.

Alfred P. Blakeslee,	300
Maxson Hall,	125
Franklin Whittaker,	300
George R. Atherton,	300
Lucius Burnham,	225
Thomas Winch,	200
Josiah F. Willard,	500
Samuel B. Goss,	300
Guy Stoughton,	250
Ezra Miller,	400
John W. Inman,	250
David Noggle,	500
John A. Brown,	250
John A, Brown,	150
	$4050

JEFFERSON COUNTY.

James E. Breakenbridge,	102 14
Samuel Geary,	400
Daniel Dobbs,	300
Austin Kellogg,	350
Charles Rockwell,	100
Lyman P. Higbee,	150
Ezra H. Bingham,	100
John T. Haight,	400
Enoch G. Darling,	200
Alonzo Wing,	200
Norman Pratt,	400
Peter Rogan,	400
William T. Butler,	300
	$3402 14

FOND DU LAC CO.

Charles Ribbel,	200
Henry A. Stewart,	100
C. Perry Dunning,	100
Harvey Buell,	100
Lyman Town,	275
George D. Ruggles,	350
Daniel D. Trelevan,	100
William C. Green,	350
Charles Crownhart,	250
Lafayette S. Brown,	250
Alonzo Raymond,	150
Madison Kelley,	400
H. C. Eggleston,	250
Harvey Carter,	225
Elisha Bates,	225
Erastus W. Drury,	350
James M. Hawkins,	250
Daniel Wilcox,	200
	$4125

MARQUETTE CO.

Asa Kinney,	400
Peter H. Pame,	200
Thomas Noyes,	225
Silas H. Palmer,	200
Chas. VanValkenburg,	100
William T. Ward,	500
Lucius Mosley,	100
	$1735

COLUMBIA COUNTY.

John P. Converse,	200
William T. Bradley,	300
Francis G. Randall,	175
Frederick F. Farnham,	150
	$825

DANE COUNTY.

James Lemon,	115
Abram Wolf,	100
George B. Smith,	300
Justin Pinney,	150
Thomas Rathbone,	300
Jeremiah Sullivan,	120
Hans Pederson,	145
Deming Fitch,	150
Thomas Arland,	160
Mathew Hause,	150
Thomas Daily,	115
Edward Campbell,	350
Andrew Bishop,	150
William H. Angell,	250
John Myers,	100
A. M. Hanchett,	300
	$2955

Wis. University, $25192 56

County Recapitulation

SCHOOL FUND.

Waukesha,	7785
Walworth,	4816
Racine,	10800
Kenosha,	3267 50
Washington,	3175
Dodge,	3950
Jefferson,	3402
Sheboygan,	500
Fond du Lac,	4125
Marquette,	1725
Columbia,	875
Dane,	25492 56
Milwaukee,	6078
Rock,	4050
	$79991 20

University Fund loans.

Waukesha County.

John Bidwell,	400
Truman L. Smith,	200
John Dorety,	420
	$1020

Rock County.

Charles Chipman,	150

University Fund.

Waukesha,	1020
Rock,	150
	1170

"D."

Statement of Interest received upon money loaned out of the School Fund by the Commissioners, in 1850.

WAUKESHA COUNTY,

Bernard Burk,	21 00
Orson Reed,	28
John Kelley, Jr.,	7
John Murray,	7
Ala. M. Hackley,	28
James King,	14
Benjamin Hunkins,	28
James Broyan,	10 50
Thomas Welch,	10 50
W. D. Babcock,	7 00
Henry Tew,	10 50
Robert Charley,	10 50
George Whitmore,	21 00
Charles Howard,	7
Thomas Cole,	14
Andrew Snyder,	10 50
Ward Atwater,	7 60
F. A. Sprague, Jr.	31 50
Asa C. Barnes,	14 00
David Fink,	21 00
Patrick Carbury,	10 50
Bernard Flanagan,	7 00
Jacob H. Kemble,	8 75
Samuel Reed,	10 50
Nathan Warfield,	17 50
Joseph Kay,	14 00
John Finley,	21 00
William Costigan,	10 50
William H. Thomas,	33 60
John D. M'Donald	21 00
George C. Pratt,	33 60
Adam Proudfit,	35 00
Edw. B. Kelsey,	14
	$544 95

WALWORTH COUNTY.

Edwin Brainard,	35 00
Archibald Woodward,	17 50
Rufus Cheney,	35 00
Daniel S. Benton,	14
George Gale,	35
William Pierce,	35
Olney Herrington,	21
Ebenezer Dayton	21
Thomas W. Miller,	21
Jesse Windsor,	28
William Blanchard,	14
Lyman Cowdry,	28
William M'Dougald,	21
William H. Moore,	11 62
	$337 12

KENOSHA COUNTY.

George Vinton,	21 00
Andrew B. Jackson,	21
James C. McKesson,	16 87
Benjamin Judd,	10 99
Galusha J. Pease,	9 59
Julius L. Gilbert,	17 50
Haynes French,	14 00
Anson Pierce,	14
Robert P. Marr,	17 50
Charles Leet,	21 00
Peter Martin,	24 50
Roswell Bourne,	8 58
Emma Way,	7 00
Joseph Bishop,	7 00
William O'Brien,	10 50
William B. Castle,	7 70
	$228 73

SHEBOYGAN COUNTY.

Horatio N. Smith,	35 00

WASHINGTON CO.

George C. Rossman,	35 00
Frederick W. Horn,	21
Adolphus Zimmerman,	14
Oliver D. Norton,	35
Charles H. Larrabee,	21
Henry Schmitz,	14
William Richards,	14
Henry A. Douglass	26 25
Patrick Toland,	35 00
Ernst A. Oekring,	7 00
	$222 25

DODGE COUNTY.

Daniel C. Van Brunt,	7 00
Whitman Sayles,	21
Almeron Chapman,	14
Solomon Juneau,	28
Joseph Pothier,	10 50
George W. Green,	17 50
W. Z. P. Blake,	7 00
Dorastus K. Cady,	7
Narcisse Juneau,	14
Conner Dempsey,	10 50
Hollister M. Wright,	7 00
James Rogers,	10 50
Allen Nickerson,	14 00
Bernard Marmion,	7
John Martin,	7
George B. Hotchkiss,	7 00
William A. Ives,	21
James Hanrahan,	7
Reed Parker,	21
George H. Beers,	10 50
John Colligan,	7 00
Martin Quick,	7
Barber Randall,	7
Michael Ames,	7
	$276 50

RACINE COUNTY.

Maurice L. Ayres,	21 00
Nelson R. Norton,	35
James D. Reymert,	35
Archibald Cooper,	21
Orra Van Vleit,	15 75
Levi Fink,	35 00
John Bush,	15 75
Caleb P. Barnes,	35 00
Delos C. Harrington,	14
Jos. Adams,	14
John Pearson,	14
Jonathan Hulburt,	28
Julius Wooster,	35
Mathew Mortaff,	17 50
George F. Roberts,	35 00
Alfred Cary,	21
Gilbert L. Billings,	14
Samuel Steele,	21
Levi Blake,	14
John W. Carey,	35
John Ramsdell,	24 50
Martin Clancy,	21 00
Henry B. Roberts,	14
William E. Worden,	17 50
Salmon F. Heath,	24 50
Orlando Secor,	35 00
Milton Moore,	28
Isaac Haight, Jr.	21
Augustus B. Hanchett,	14
William L. Utley,	21
James M. Titus,	21
John Spence,	24 50
Mark Bump,	14 00
	$756 00

MILWAUKEE CO.

Henry Dyson,	35 00
Enoch Chase,	18 46
Timothy O'Brien,	35 00
Horace Chase,	7 00
Leonard S. Curtiss,	21
John E. Cameron,	35
James B. Cross,	35
Barzilla Throop,	35
Michael Hanrahan,	7
Francis Huebschman,	21
James Riorden,	7
John J. Orton,	35
Edward M. Hunter,	35
Erastus B. Wolcott,	35
William Brown,	14
Abram D. Smith,	35
Herman Haertell,	14
	$424 46

ROCK COUNTY.

Alfred P. Blakeslee,	21
Maxson Hall,	8 75
Franklin Whittaker,	21 00
George R. Atherton,	21
Lucius Burnham,	15 75
Thomas Winch,	14 00
Josiah F. Willard,	35
Samuel B. Goss,	21
Guy Stoughton,	17 50
Ezra Miller,	28 00
John W. Inman,	17 50
David Noggle,	35 00
John A. Brown,	17 50
John A, Brown,	10 50
	$283 50

JEFFERSON COUNTY.

James E. Breakenbridge,	7 14
Samuel Geary,	28 00
Daniel Dobbs,	21
Austin Kellogg,	24 50
Charles Rockwell,	7 00
Lyman P. Higbee,	10 50
Ezra H. Bingham,	7 00
John T. Haight,	28
Enoch G. Darling,	14
Alonzo Wing,	14
Norman Pratt,	28
Peter Rogan,	28
William T. Butler,	21
	$238 14

FOND DU LAC CO.

Charles Ribbel,	14 00
Henry A. Stewart,	7
C. Perry Dunning,	7
Harvey Buell,	7
Lyman Town,	19 25
George D. Ruggles,	24 50
Daniel D. Trelevan,	7 00
William C. Green,	24 50
Charles Crownhart,	17 50
Lafayette S. Brown,	17 50
Alonzo Raymond,	10 50
Madison Kelley,	28 00
H. C. Eggleston,	17 50
Harvey Carter,	15 75
Elisha Bates,	15 75
Erastus W. Drury,	24 50
James M. Hawkins,	17 50
Daniel Wilcox,	14 00
	$288 75

MARQUETTE CO.

Asa Kinney,	28 00
Peter H. Pame,	14
Thomas Noyes,	15 75
Silas H. Palmer,	14 00
Chas. VanValkenburg,	7
William T. Ward,	35
Lucius Mosley,	7
	$120 75

COLUMBIA COUNTY.

John P. Converse,	14 00
William T. Bradley,	21
Francis G. Randall,	12 25
Frederick F. Farnham,	10 50
	$57 75

DANE COUNTY.

James Lemon,	8 05
Abram Wolf,	7 00
George B. Smith,	21
Justin Pinney,	10 50
Thomas Rathbone,	21 00
Jeremiah Sullivan,	8 40
Hans Pederson,	10 15
Deming Fitch,	10 50
Thomas Arland,	11 25
Mathew Hause,	10 50
Thomas Daily,	8 05
Edward Campbell,	24 50
Andrew Bishop,	10 50
William H. Angell,	17 50
John Myers,	7 00
A. M. Hanchett,	21 00
	$206 85
Wis. University,	1577 62

County Recapitulation

SCHOOL FUND.

Waukesha,	544 95
Walworth,	337 12
Racine,	756 00
Kenosha,	228 73
Washington,	222 25
Dodge,	276 50
Jefferson,	238 14
Sheboygan,	35 00
Fond du Lac,	288 75
Marquette,	120 75
Columbia,	57 75
Dane,	206 85
Milwaukee,	424 46
Rock,	283 50
	$4020 75
University,	1577 62
	$5598 37

Interest received on account of University Fund loans.

Waukesha County.

John Bidwell,	28 00
Truman L. Smith,	14 00
John Dorety,	29 40
	$71 40

Rock County.

Charles Chipman,	10 50
	$81 50

E.

Statement of expense incurred by the commissioners in conducting the sales of School Lands and paid by the State Treasurer.

May 1850.	To cash paid George Hyer for advertising land sales in Waukesha County,	$ 5	00
	To cash paid George Hyer for blanks,	50	00
	do do advertising and blanks,	41	50
	do do blanks,	5	00
	do John Casper, for chest for books,	3	25
	do Stationery,		50
	do Office rent, fuel and lights in Waukesha county,	12	10
15	do Western Star Office, for advertising sales in Walworth county,	6	85
	do Same office,	3	85
24	do Kenosha Telegraph, advertising land sales in Kenosha county,	6	60
	do Kenosha Democrat, do do	4	20
	do C. C. Sholes, do do	4	00
	do Transportation of books, &c. from Walworth to Kenosha county,	4	00
	do Trunk for Books and Blanks,	2	00
	do Office rent, &c. in Kenosha,	9	00
June 1,	do Langland & Halstead, for advertising sales in Racine county,	3	65
	do Norwegian paper, do do	5	50
	do E. Bliss, Oaken Bucket, do do	5	00
	do Bunner & Stafford, do do	14	00
	do do do for blanks,	3	00
	do Office Rent,	10	00
	do Stationery,	1	00
15,	do Free Democrat for advertising sale in Milwaukee co.	9	00
	do Commercial Advertiser, do do	21	00
	do Sentinel & Gazette, do do	21	00
	do Wisconsin, do do	21	00
	do Volks Freund, do do	16	00
	do Wisconsin Banner, do do	16	00
	do Commercial Advertiser for loan blanks,	5	00
	do do do for 280 quires duplicate certificates,	280	00
	do Same, 280 quires original certificates,	280	00
	do Same 40 quires School Mortgages,	40	00
	do Rood & Whittemore, for books, stationery, and binding,	258	21
July 15	do Rock county Badger, for advertising sales in Rock co.	9	75
	do To same for blanks,	5	00
	do Janesville Gazette, for advertising sales,	8	25
	do Beloit Journal, do do	8	25
	do Wisconsin Banner, do do	6	00
	do Trans, of books from Mil. to Janesville,	5	00
28	do Volks Freund, for advertising sales in Washington county,	14	00
	do Wisconsin Banner, do do	14	00
	do Washington county Blade, advertising and handbills,	13	50
	do Blank books,		31
	do Sending to Chicago for stolen chest of books,	11	50
	do Trans. of books from Rock to Wash. co.	5	00
August 10, 1850.	do Volks Freund for advertising sales in Dodge county,	11	00
	do Wisconsin Banner, do do	6	75
	do State Register, do do	14	25
	do do do for pre-emption blanks,	10	00
	do Trans. books from Milwaukee to Dodge co.	5	00
	do Express from Madison to Dodge, with Maps,	12	00
Sept. 1,	do Watertown Chronicle for advertising sales in Jefferson county,	15	00
	do State Register do do	14	25
	do Transportation of Books from Dodge to Watertown and Jefferson,	6	00
	do Stage, for transportation of blanks,		50
	do Wisconsin Banner, for advertising sales in Jefferson county,	11	00
	do Volks Freund, do do	12	00
10,	do Transportation of Books from Jefferson to Shebogan,	9	42
	do Sheboygan Mercury for advertising sales in Sheboygan county,	6	60
	do Sheboygan Democrat, do do	6	50
	do do Newsbode, do do	6	50
	do Wisconsin Banner, do do	5	25
20,	do Fountain City for advertising sale in Fond du Lac county,	10	80
	do Fond du Lac Journal, do do	9	00
	do Wisconsin Banner do do	3	00
	do Transportation of books from Sheboygan to Fond du Lac,	2	50
27	do Wisconsin Banner for advertising sale in Marquette county,	3	00
	do River Times, do do	9	00
	do Transportation of books from Fond du Lac to Marquette,	1	50
Oct. 22	do River Times, for adv. sale in Columbia,	14	00
Nov. 12	do J. L. Enos, for advertising sales in Dane county,	4	00
	do Norwegian paper, do do	5	00
	do Wisconsin Express, do do	4	00
	do Transportation of books, &c. from Marquette county to Madison,	3	00
	do Sundry postages and telegraphing,	7	44
	do 57 days work copying plats to replace plat book stolen,	142	50
	do Tibbits, Gordon, & Co. for Iron Trunk for school money, and Clark for rib. work.	16	00
	do Jonas Southwick for error in Walworth county sales,	21	13
	do B. Brown for printing done in 1849.	120	00
	Total - - - - - - - -	$1,818	75

"F."

SALES OF UNIVERSITY LANDS IN WISCONSIN.

COUNTY.	Town.	Range.	Sec.	No. of Acres	Appr's'd Value.	Amount sold for	Am't principal paid.	Am't interest paid.	Total am't due.
WAUKESHA,	7	20	10	560	5615 96	5615 96	1015 96	215 61	4600 00
WALWORTH,	3	15	21	39 77	399 02	399 02	40 02	15 71	359 00
RACINE,	3	21	25	157 99	1583 80	1583 80	161 80	55 03	1422 00
ROCK,	2,1 & 2	12, 14, 10	6, 9, 14	10 *l* & 200 *a*	2200 00	2200 00	234 00	62 95	1966 00
COLUMBIA,	10	10	6	40	486 56	486 56	50 56	5 85	436 00
DANE,	7	11	6	61 22	613 94	613 94	120 94	4 62	493 00
				1058 98	10899 28	10899 28	1623 28	359 77	9276 00

COMMUNICATION FROM STODDARD JUDD.

WAUSHARA, November 25, 1850.

Hon. W. A. Barstow:

SIR—Your letter of the 16th inst., making sundry inquiries in relation to the University lands located near this place, has been received.

There are about three thousand acres of these lands lying near this village, and within this town and the town of Trenton. The general character of these lands is good, being one-half, or perhaps a little more than one-half, prairie, and the balance mostly thin openings. They are without water, or marsh at all.

Probably one-third, or nearly one-half of this tract is claimed and held by pre-emption, under the provisions of sec. 57, chap. 24, title viii, of the revised statutes.

The names of the pre-emptors, (about thirty) it is not considered necessary to insert here, because it is presumed they will appear upon the original appraisal of these lands, as the improvements of said pre-emptors were appraised at the same time that the land was appraised.

In regard to the value of these lands at this time, I will state, that it is quite certain that *very* few tracts or lots, *if any*, would sell for more than the appraised value of the same, while no man at all acquainted with the country, entertains the opinion that any of them will bring *ten dollars per acre* within ten or fifteen years. The general belief is, that they were estimated rather above their value, by the commissioners that appraised them.

The pre-emptors occupying these lands, claim that they have a right to hold them under the pre-emption above referred to, at their *appraised value*, notwithstanding the provisions of chap. 176, of the session laws of 1850.

It is not believed that that law either applies to; or includes land held or claimed under the pre-emption law. The words of the act are: "The minimum price of the university lands

"shall be. and the same is hereby established at ten dollars "per acre, *and none of said land shall be sold for less than said "minimum price.*"

I have italicised the last clause of this section, for the purpose of calling your attention particularly to its phraseology, "shall be sold."

Now, it is contended, that *all lands claimed by valid pre-emption rights, are already sold ;* and that the subsequent performance of the law, by proving up, before the lands are offered at public sale. and paying such a percentage on their appraised value as may be required, *is not a sale,* but is merely a consummation of *the sale* made and created by the pre-emption law itself. Or, in other words, the *passage* of the pre-emption law *vested a right,* to the land claimed under its provisions, upon a compliance with its requirements, on the part of the pre-emptors. Can a subsequent legislature deprive those pre-emptors of those rights ? or can they change the terms without the consent of the other party ? Can the state authorities abrogate a solemn contract with any of its citizens by its own power and will, without the consent, and against the remonstrance of such citizens ? and if so, then what shall hinder a subsequent legislature, after the present commissioners shall have invested the school monies at 7 per cent interest for a term of ten years—from enacting a law requiring those persons with whom such monies have been invested—to pay interest at 25 per cent ? Surely there would be as much equity and justice in this latter case as in the former. Nay, it may be confidently asserted that the former would be, by far, the most oppressive.

These lands were appraised three years ago, at which time every pre-emptor had his improvements appraised also, so that in case he did not become the purchaser, and his lot was purchased by another person, he might be entitled to the value of his appraised improvements, from such purchaser. Now, in almost all cases, these improvements have been materially enlarged and extended since their appraisal : in many instan-

ces entire new houses have been erected, and in some cases, the additional improvements have amounted to several hundred dollars. The pre-emptor is able to pay the appraised value of the land, but cannot afford to pay *ten dollars* per acre, and another purchaser can afford to pay that price, *because he gets several hundred dollars worth of improvements for which he is not required to pay any thing!*—can anything more unjust be contrived? and is it possible that the state legislature ever intended such a thing? and will they insist upon the continuance of such a law?

In view, therefore, of all these, and many other considerations, I understand it to be the intention of the pre-emptors to insist upon their right to the land at the appraised value thereof; and that they will resist all attempts to dispossess them.

Under these circumstances, the question presents itself, what ought to be done?

I have no hesitation in giving it as my opinion that every interest, the state university, the public and the claimants, would be, both now, as well as hereafter, promoted by an entire and complete repeal of the law of the last session of the legislature above referred to.

But, if this should not be considered advisable, then perhaps it would answer all purposes, so far as the interests of the pre-emptors are concerned, to pass an act declaring that the said act should not be so construed as to affect or apply to any lot claimed under the provisions of the pre-emption law of the revised statutes.

I have the honor to be
Most respectfully your
Obedient Servant.
STODDARD JUDD.

REPORT

OF THE

BOARD OF PUBLIC WORKS,

FOR THE IMPROVEMENT OF THE

FOX AND WISCONSIN RIVERS.

REPORT.

To His Excellency the Governor of the State of Wisconsin:

SIR:

The Commissioners of the Board of Public Works for the Improvement of the Fox and Wisconsin Rivers, have the honor to submit to you their

ANNUAL REPORT.

In accordance with the recommendations embraced in our last Report, we advertised on the 4th day of March, and received propositions until the 13th day of May, for the Improvement of the Grand Chute and Cedar Rapids. Proposals were received for the improvement of both sides of the river at these two points.

At the Grand Chute, Theodore Conkey proposed for the construction on that side of the river, of section no. 1, Lock no. 4, aud the Dam, for the aggregate sum of 11,971 25, and the right to all the surplus water, for hydraulic purposes.—This proposition, if accepted, would have fixed the location of the improvement on the west side, and was submitted to the Governor for his approval, which he declined to give, deeming the amount of work proposed to be done by Mr. Conkey, of less value than the water power, and the location was changed to the east side, and the work allotted to Fitch P. Tallmage, he being the lowest bidder, for the aggregate sum of $57,747 64, the aggregate propositions on the west side of the river, had Mr. Conkey's proposition been accepted, would have been $54,073 61, and all the surplus water for hydraulic purposes, only exhibiting a difference of the sum of 2,674 03; which latter sum would have been the only real equivalent that the State would have received for all the water power at the Grand Chute.

In addition to this, the east side of the river affords better

facilities for the construction of the improvement; and the line of canal being farther removed from, and generally entirely above the river, would be less subject to danger from floods.

Contracts were made with White, Resley and Arndt, for the improvement on the west side of the river, at Cedar Rapids, with a timber lock and spar dam, for the aggregate sum of 16,427 90. A subsequent change from a timber to composite lock, would increase the cost about $600; making the aggregate 17,027 90.

At the same time propositions were received for the construction of the draw bridge at Fort Winnebago, and a crane scow, for the removal of snags, and improvement of Wisconsin river, which were allotted as follows:

Bridge no. 1 across Grand Lock, to Thomas Reynolds, for	1,124 01
Bridge no. 2, across Lift Lock to Nelson McNeal, for	1,138 89
Scow for improvement of Wisconsin River, to Nelson McNeal, for	799
Making the aggregate amount put under contract at that time,	$76,837 44

The work on the improvement at the Grand Chute and Cedar Rapids, progressed with great rapidity, until from the insufficiency of funds, it became necessary to notify the contractors that monthly estimates could not be paid to them with regularity. This circumstance, of course has compelled the contractors to suspend their operations, to a great extent. In the present state of the fund, this work cannot be resumed, until additional amounts of land shall be placed at the disposal of the Board. The contractors, however, have made their arrangements for materials to be delivered this Winter, and next spring, so that the work will be in readiness to resume, as soon as funds can be realized. They having asked for an extension of time for the completion of their contracts, the Board have thought proper to grant them until the 1st day of December,

1851, instead of requiring them to complete their work on the 1st day of July, as at first contemplated.

The work at Fort Winnebago has not progressed with the rapidity that was anticipated: and as it was found that more time would be required for the improvement of the Fox River (in consequence of the extremely low stage of the water,) than was at first expected, the time for the completion of these contracts was extended to the first of October. The work was not, however, completed by that time, and the contractors were allowed to go on, as there was no question but that the canal and locks could be made ready for use by the opening of navigation in the spring. And it was also considered, that the longer period that the banks remained after construction, before a pressure of water was thrown upon them, would insure their permanency.

The canal will be completed within a few days ready for acceptance. If the contractor for the construction of the locks; should not display the proper energy in the prosecution of his work, so as to remove all doubts of its completion by the proper time, the Board have made such arrangements as will insure their being done by the opening of navigation in the spring.

The draw bridges at Fort Winnebago were located one upon each lock, to save expense in construction, and in order that the persons employed to tend the locks, could also take charge of the bridges, and save the necessity of employing additional men for that purpose. As but little or nothing has been done towards their construction, further progress will be suspended upon them, in consequence of the limited state of the fund, as all the money that can be realized at present, will be required to complete previous contracts; and, until the Dredge can reach Fort Winnebago, the temporary bridges erected across the canal by individuals, for their own convenience, will answer all purposes.

The Board, from the examinations that they have made of the progress, and the amount of work performed by the steam

dredge, in the improvement of the channel of the Fox River, during the past season, are well satisfied with the energy with which its operations have been prosecuted. For a detailed statement of its operations we would make reference to the report of Mr. Story, acting commissioner, in charge, which is hereunto appended marked "A."

All the necessary repairs to the Dredge should be made in February, in order that it may be put in operation as soon as the opening of spring will permit, as it will probably require nearly all of the next season, to reach the termination of the Portage canal, with a channel that can be navigated by a small class of steamboats.

The dimensions of the channel usually made by the steam dredge, wherever it has operated, are as follows: Average width, forty-five feet; with a depth of water of four feet.

These channels, and in fact, the whole of the upper river, could better be navigated by a small class of flat bottom, stern-wheel boats, than any other; as the width of such boats would more readily admit of their passing each other, in the narrow channel, and in addition, their operation would be less injurious to the banks, than that of boats propelled by side wheels.

There should be some regulation made with reference to this matter, by or before the time that this portion of the stream comes to be used for the purposes of navigation. It is believed that there will be nothing to prevent properly constructed boats from ascending the river, next season, as far as the operations of the dredge boat have been extended—within six miles of Fort Winnebago.

Some portion of the overhanging timber that interfered with the navigable channel of the Wisconsin, was cut down and removed during last winter. A crane scow for the removal of snags and to afford facilities for the cutting and removal of such timber as may still interfere with the navigation, was constructed last fall. It would be advisable to send this scow down the Wisconsin, with a proper complement of men, as

early next season as the stage of water will permit, for the purpose of still further improving the navigation of that stream.

When the objects, for which this scow were designed, are effected, it will materially assist navigation; and it is believed that light draught steamboats will find no difficulty in making regular trips upon this stream.

The contract for the improvement of Winnebago Rapids, is progressing towards completion. The time for finishing this contract was extended by the board from the first day of October, 1850, to the first day of May, 1851; and from its present condition, it is fair to suppose that the work at that point will be ready for use early next season.

The improvement at Rapid Croche, would have been entirely completed last season, had it not been for an unfortunate breach in the dam. Such arrangements have been made, however, as will insure its repair in a few days, so that the work at this point will be fully ready for the purposes of navigation next spring.

At Des Peres the lock was opened for the passage of boats early last season. It has been found necessary, however, in consequence of a diminished depth of water in the bay and river below, to sink the bottom of the lock, and lower mitre sill about two feet. Preparations have been made for this alteration, and the work will be entirely completed, and the lock prepared for use by the time navigation opens in the spring. The dam will also be raised to its proper height, as navigation will require it.

The board authorized the chief engineer to employ some suitable person to remove the boulders interfering with navigation, from the channel of the Fox river, between Rapid Croche and the head of Des Peres dam. This work has been done under his superintendence at a cost of $338 16.

For a more full and complete statement of the condition and progress of each portion of the work on the improvement, we will refer to the report of the chief engineer and superinten-

dent, which is annexed and marked "B," which is adopted as a part of the report of the board.

Overtures were made to the board by the agent of some eastern capitalists, for making the improvement at the Little Chute and the Grande Kaukauna, the only portions of the work not under contract. The conditions under which they proposed to do the work, were: The privilege of using all the surplus water for hydraulic purposes, and also the right of collecting tolls under the direction of the state authorities.—These conditions were deemed so favorable by the board, that they directed the work to be advertised, Previous to the time fixed for receiving propositions, however, Mr. Joshua F. Cox, one of the leaders in the enterprise, died; and consequently the arrangement failed.

It is to be regretted that this contract conld not have been consummated; as it would have insured the completion of the improvement at a much earlier period, than can possibly be effected from funds derivable from the salesof the lands appropriated for that purpose.

The quantity of land advertised for sale since the last report, has been 67,660 78-100 acres. There has been sold during the same period by pre-emption, 18,229 59-100 acres.

By private entry,	20,207 12-100	"
By public sale,	40,05 19-160	"
Total,	42,481 90-100	acres.

The board settled with the register and treasurer and found that they received for fees on pre-emption and entries the sum of $895 50

Warrants were issued to them for the sum of 254 50

Making the sum received by them as applicable to their salary, $1,150 00

or $575 each for the 11½ months, ending, January 1st, 1851, or at the rate of $600 per year.

They also find that the treasurer has received for land, sold since the last tettlement with him, on the 15th January, 1850, up to the 1st January 1851 the sum of $53,161 70

Balance in hands of treasurer at last settlement,	14,304 26
Total,	$67,465 96
Amount that he has paid out on warrants drawn on him,	59,977 14
Leaving a balance in the treasury of	$8,388 82

The board find on examination that all the warrants drawn on the treasurer, up this date, have been paid, and are included in the above settlement, with the exception of warrant no. 224, in favor of Joel S. Fisk, for twenty dollars, which has not yet been presented.

Annexed and marked "C," is an abstract of expenditures for the past year; exhibiting the numbers, amount and nature of each warrant issued.

The amount of liabilities, at present existing on contracts, will be found by the annexed tabular statement to be $75,-875 28.

TABULAR STATEMENT,

Exhibiting amount of work put under contract—amount of work done and paid for, and amount remaining to be paid on completion of work.

CHARACTER OF CONTRACTS.	Amount of contracts.	Amount paid in 1849.	Amount paid in 1850.	Total amount paid.	Am't remaining to be paid on completion of contract.
Steam Dredge Boat,	12,000 00	12,000 00		12,200 00	
Canal at Fort Winnebago,	21,175 13	6,835 05	10,947 95	17,783 00	3,392 13
Guard and Lift Lock do	22,805 20	5,702 62	9,976 88	15,679 50	7,125 70
Bridges do	2,262 90		96 75	96 75	2,166 15
Scow for Improvement Wis River,	799 00		799 00	799 00	
Grand Chute,	56.747 64		4,656 59	4,656 59	52,091 05
Cedar Rapids,	17,027 90		7,549 32	7,549 32	9,478 58
Winnebago Rapids,					
Rapids Croche and repairs to dam,	20,296 15	6,537 76	13,208 39	19,746 15	550 00
Depere and repairs,	1,350 86		*421 86	* 421 86	928 95
Valve gates for 4 locks and transp't.	1,900 00	1,733 24	24 04	1,757 28	142 72
Removing boulders from Fox river.	338 16		338 16	338 16	
	156,702 89	32,808 68	48,018 94	80,827 61	75,875 28

*This amount was paid by valve gates for Depere Lock.

It was anticipated at the time that the work at the Grand Chute and Cedar rapids was put under contract, that additional amounts of land would be obtained for the purpose of continuing the improvement, and it was with this view that the placing of this work under contract received the Executive sanction. Unfortunately the additional selections of land have not been confirmed, and the only resources at the control of the Board have been dependent upon sales of lands from the following amounts:

Odd numbered sections first selected	123,988 98 acres,	
Deduct for corrections supposed about	2,000 00 acres	121.988 98 acres
Even numbered sections selected and confirmed,	9,911 80 acres	
Deduct for corrections, about,	240 00 acres	9,671 80 acres
Total,		131,660 78 acres
Of which were sold in 1849,	45,891 44 acres	
do do in 1850,	42,481 90 acres	88,373 04 acres
Leaving unsold, and which have been offered at public sale,		43,287 74 acres

A list of which are hereunto annexed in schedule marked 'D.'

Of this quantity probably not more than 20,000 acres can be sold during the coming year; as considerable portions of it are waste and marshy lands. So that unless congress should confirm the grant of the selections already made by the Governor; and order surveys to be made on the north side of the Fox river in the recent Menominee purchase, so that selections can be made from those lands for the purpose of making up all deficiencies; but little can be done beyond closing up the contracts entered at the first lettings; and keeping the Dredge Boat at work on the upper Fox river. Leaving but a small

sum applicable to the continuation of the Improvement at Grand Chute and Cedar Rapids.

The following statement will show what can probably be relied upon as the basis of operations for the next six months.

Amount that is supposed will be realized from sales of lands to 1st July,	$7,500 00
Add balaace in hands of Treasurer 1st January,	8,388 82
Amount,	$15,888 82

LIABILITIES.

Due to contractors on completion of canal and l'ks at Ft Winnebago,	$10,517 83	
To finish repairs at Rapide Croche Dam and Depere lock,	1,5000 00	
Repairs of Dredge Boat,	1,009 00	
Running do do three months	1,500 00	
Engineering and contingencies	1,500 00	$16,017 82

From the foregoing statement it will be seen that no funds will be applicable to the continuation of the work at the Grande Chute and Cedar Rapids unless lands should sell with more rapidity than is anticipated.

No new liabilities will be incurred by the Board until more lands can be obtained, and they would recommend, that, as ong as sufficient funds are on hand for that purpose, the steam dredge should be kept constantly at work in the improvement of the upper Fox river, as the opening of a channel of communication to the Portage canal, and through that to the Wisconsin, is of the utmost importance.

Should favorable circumstances occur however either through propositions for water power, or a confirmation of the selection of lands; a portion of the work at the Little Chute and Grand Kaukauna might be put under contract. And should the board during the coming season obtain the control of all the lands to which the improvement is entitled, the entire work could be completed by the spring of 1853.

There is a deficiency in the grant of land for the improve-

ment of about 170,000 acres. It is respectfully recommended that the Legislature use all the means in its power, through our Senators and Representatives in Congress, or otherwise, to make the balance of the land available for the prosecution of the work.

The following persons are now in the employ of the board as connected with the superintendence of the work.

C. R. Alton, ch'f engineer and supt salary,	$1,800 per year.
J. Kip Anderson, Assistant Engineer,	$3 00 per day.
Hiram S. Roberts, ship-keeper on dredge	$1 00 " "

Respectfully submitted,

H. L. DOUSMAN,
ALBERT S. STORY,
Commissioners of the Board of Public Work.

Oshkosh January 1, 1851.

"A."

To the Commissioners of the Board of Public Works for the Improvement of the Fox and Wisconsin Rivers.

GENTLEMEN :

On the first of March last, operations were resumed on the Dredge Boat, by making the necessary repairs, and adjusting and refitting the machinery, which occupied about two weeks. Work was then commenced upon the "cut" at the foot of Lake Puckaway, which was finally completed on the first of April. This "cut" or channel has remained open during the whole season, and has very much improved the navigation of the lake.

The dredge was detained eight days at the head of the lake by ice; and the remainder of the month of April and the whole of May were occupied in dredging and improving the channel between Lake Puckaway and Buffalo Lake. About five weeks of this time was spent in dredging a channel through the rapids at the foot of Buffalo Lake, extending over a little more than a mile in distance.

On account of the unusual low stage of water in the river, a very large amount of work was required through the upper part of Buffalo Lake, immediately above it, and through Rice Lake. Between Rice Lake and the English settlement, comparatively a smaller amount of dredging was required. The English settlement was reached on the first of August, where a little delay occurred in making some necessary repairs.

After an examination of the river for some distance above and below the "Forks," it was considered best for the purposes of navigation to take advantage of a marshy flat leading in a parallel direction with the general course of the river. Accordingly I left the river at a bend about half a mile below the "forks," and after following a slough for about 1000 feet, struck into the flat, and have already dredged a channel for a distance of 2800 feet, averaging 45 feet in width and from the surface of the ground about 7 feet in depth. There yet remains to make the connection with the river, a distance

of 1250 feet, the average depth of which will be about 8 feet. The advantages of this channel when completed will be a saving in navigable distance of about two miles, and a directness of course instead of following the winding and tortuous channel of the river, thereby avoiding Mud Lake, through which, from the soft and slimy nature of the soil it would be almost impossible to maintain a navigable channel.

Operations ceased, and the Dredge was laid up in winter quarters on the first of December, and a careful person was placed on board as ship keeper. I have effected an insurance upon it for the sum of $4000 in the Etna Insurance Company, Hartford Ct., and for $5000 in the Protection Insurance Company, Rome, N. Y.

It will be necessary to repair the machine thoroughly during the latter part of the winter, and to take such measures as may be necessary to strengthen the hull; as from the immense strain that there is upon it constantly in working, it has settled from a horizontal line near the bearing of the foot of the crane post. My impressions are that the sum of one thousand dollars would be sufficient to put the machine in perfect condition for next season's operations.

The expenditures as connected with the operations of the Dredge Boat have been as follows, as will appear from the vouchers presented to you and audited and allowed:

Superintendence,	$873 00
Labor,	1,828 69
Supplies,	469 91
Wood,	638 96
Insurance,	47 50
Repairs (including new fixtures whenever required)	871 51
Total amount,	$4,728 97

There is now remaining on hand applicable to next season's operations,

Provisions to the amount of	$19 50
400 pounds of Iron a 6c	24 00

55 cords of wood	a 10s	68 75
100 pounds sheet and bar lead and part of keg of white lead,		6 75
		$119 00

Respectfully submitted,

ALBERT S. STORY,

Acting Commissioner in charge of Dredge Boat.

Oshkosh, December 20, 1850.

"B."

To the Commissioners of the Board of Public Works for the improvement of the Fox and Wisconsin Rivers:

GENTLEMEN:

Annexed will be found a statement of the progress, during the past season, and present condition of the different portions of work under contract on the improvement of the Fox and Wisconsin Rivers.

The chopping and removal of the overhanging timber on the Wisconsin, was continued during a portion of the last winter, until the ice along the shore became so weak that the men could not work, when the labor was discontinued. The exceedingly mild weather during a portion of February, rendered it almost impossible to make as thorough work as was desirable; and consequently, upon the lower portion of the river, there is much that was imperfectly done.

A crane schow, with winches and capstan, was built at Fort Winnebago, on the Wisconsin, during the fall, for the purpose

of completing the work commenced last winter, by removing snags from the channel, and also to furnish facilities for cutting down and removing such trees as may still overhang the banks and interfere with the navigation of the river. It is believed that this will be the most effectual method that could be devised for this purpose. It was designed to have this scow completed and put in operation last summer, but much of the machinery had to be obtained from Milwaukee, and the prevalence of sickness there prevented it from being furnished at the time stipulated.

The scow could be put in operation next season as soon as the stage of water would permit, and effect the objects desired to accomplish with it in three or four months, at a probable expense of $600 or $800.

The contracts at Fort Winnebago, including the two sections of canal, the guard and lift-locks, are nearly completed, and can be made ready for filling with water by the first of May next.

The seetions of canal will cost about the amount of the first estimate. The expenses of the construction of the locks will be considerably greater than was estimated, for the following reasons :

The Guard lock, from the increased length and quantity of excavation and embankment, and the necessity of a sheet piling protection to secure the entrance into the Wisconsin, and the head of the lock against the encroachments of the river.—At the lift-lock there is a large increased amount of excavation in consequence of a change of the location of the lock into the point of the "Bluff," in order to secure a better foundation and obviate the necessity of driving bearing piles ; an additional amount of embankment was necessary, and also an increase of timber and plank, in consequence of sinking the foundation one foot lower than was at first contemplated.

But little has been done at the bridges—in fact, nothing more than the delivery of some portion of the material,

The Fox River was during the most of last season at a remarkably low stage—lower than at any time when I had made examinations of it with reference to its improvement. This fact will sufficiently account for the longer period necessarily occupied in improving its channel. There is no doubt in my mind, but that the continued use of the steam dredge for several successive seasons, will make it a perfectly navigable stream for a small class of steamboats. It may be possible that this will not be fully effected next season, as, after the dredge reaches the termination of the Portage Canal, it will be necessary for it to return down the river for the purpose of widening some of the cuts and removing any deposites that may have accumulated since its passage.

In my opinion the proper kind of boat for the navigation of the upper river, would be, for some time to come—until the channel becomes more perfect, a light draft, flat bottom, stern wheel boat, about 100 feet long, Such a boat could do a better and safer business than side-wheel boats of a larger class.

The improvement at Winnebago Rapids has been progressing steadily since its commencement, with a fair force of men. About two-thirds of the excavation for the canal has been removed; the dam is completed, and the timber for the lock is all on the ground. The contractor has also obtained the Valve gate for the Lock, so that it is fair to suppose that the work will be completed early next season.

The contractor at Grand Chute progressed rapidly during the time that he was at work, and previous to his suspension of operations, had completed over twenty chains of canal, including the excavation of the upper lock pit. He has also completed the grubbing and clearing of the two upper sections. He has made arrangements so that his timber and plank will be got out during the present winter and delivered on the work early next season.

At Cedar Rapids the dam was completed all but graveling, early in October. The canal, at the upper connection with

the river, has been put in good shape, and the necessary protection wall around the head of the embankment and at the ends of the dam, has been completed. A considerable portion of the excavation has also been removed from the Lock pit. The work at this point, has been prosecuted with great energy on the part of the contractors.

The Lock and section of canal at Rapide Croche, were completed on the 9th day of October, and were used for the remainder of the season for the passage of steam and durham boats. The dam, which was completed in 1849, had a serious breach made in it in April last, in consequence of large fields of ice tearing off a portion of the comb-timbers. The repairs on the dam were delayed until the latter part of the season, in order to permit the excavation at the upper connection of the canal with the river to be made with facility to the proper depth. It was supposed that a favorable stage of water would occur in the fall, and that it would require but a short time and a moderate expense to restore the dam to its proper height, but one unforeseen accident after another has so far delayed its completion, and materially increased the expense. The persons employed by Mr. Loy, under the directions of your Engineer, have now so far secured the work that there is every prospect that the repairs will be completed by the 15th of January. The total expense of the repairs will be $1598 28.

The cost of the work at this point has been materially increased from the first estimate, in consequence of the necessity that occurred from a low stage of water in the river, of extending the docking and excavation of the lower portion of the canal one thousand and eight feet farther from the foot of the Lock than was at first anticipated, and also of sinking the lock one foot deeper, in order to secure a sufficient depth of water for the purpose of navigation, and also to guard the approach to the lock against the influence of the current. The effect of this extension and change has been to increase the quantities of excavation, embankment, pine timber and oak

ties, and to entitle the contractor to additional compensation for coffer-dams, pumping and bailing water *pro rata* with the work as at first located.

The lock at Des Peres was completed and brought into use for the purposes of navigation in the early part of the summer, and boats were passed through it until a short time before navigation closed last fall. It was found, however, *owing to the fact, that the water has fallen materially in the river and bay below Des Peres, since the levels were fixed for the foundation,* that there was not always a sufficient depth of water on the lower mitre sill; and consequently it would be necessary in order to secure free and uninterrupted navigation, to sink the bottom of the lock and the lower mitre sill some two feet below their present level, and also to re-model the lower gates to make them correspond with the proposed change.

There is no insuperable difficulty to surmount in making this change, as the lock is built on the solid rock without any foundation timbers; and all that is necessary is to build coffer dams above and below, remove the water, take up the lower mitre sill, excavate the rock to the proper depth, remove some gravelly deposites below the lock, put down a new mitre sill and remodel the gates, and the work is complete. Arrangements have been made with Mr, Loy to perform this work at an expense of $1350 86. He has placed his coffer-dams, built his water wheels and pumps, and framed most of his gate timbers: and the work can be finished and the lock put in good condition by the time navigation opens in the spring.

Nothing has been done towards raising the Des Peres dam except the preparation and delivery of material: but the administrator of Mr. Cox's estate has given assurances that it should be completed without fail, as soon as will be necessary for the purposes of navigation.

An arrangement was effected with H. R. Williams, under a resolution of the Board of August 16th, for the removal of

the stone in the channel of the river between Rapide Croche and Des Peres dam. This work has been done so that it is believed that there need be hereafter no impediment to navigation on this account. The expense attendant on this work was $338 16.

Want of time, from the nature of the duties that deman ed my attention, on the line of the improvement, prevented me from making the examination of the upper portion of the Wisconsin River, directed by the legislature at its last session.—It would have afforded me much pleasure to have made this survey, if I could have done so without interfering with my legitimate duties.

Respectfully submitted,

C. R. ALTON,

Chief Engineer and Superintendent

Fox and Wisconsin River Improvement.

Oshkosh, January 1, 1851.

STATEMENT OF EXPENDITURES,
On account of the Fox and Wisconsin Rivers Improvement, from the 15th day of January 1850, to December, 1850.

CONTINGENT FUND.

DATE.	NO OF W'R'TS	TO WHOM ISSUED.	FOR WHAT PURPOSE.	AMOUNT.
1850				
Jan. 24.	148	H. L. Dousman.	Services as Commissioner,	$ 63 00
"	149	James B. Estes,	do do	63 00
"	150	J. A. Bingham,	do do	42 00
"	152	A. L. Story,	do do	51 00
May 13.	167	Rood and Whittemore,	Stationery, &c.	29 97
"	168	do do	do do	32 00
"	176	Samuel Schanb,	Table and desk for office.	7 00
Aug. 16.	195	J. D. Whitney,	Legal services upon proceedings to reverse decision of Register on pre-emption.	10 00
"	203	H. L. Dousman,	Services as Commissioner,	36 00
"	204	C. Croswell,	do do	21 00
"	205	do	do do	60 00
"	206	do	do do	33 00
"	207	Joseph Jackson.	Salary as Treasurer,	100 00
"	208	J. Brown,	Salary as Register,	100 00
"	209	do	Contingent expenses of office,	43 33
"	211	Joseph Jackson,	do do do	3 50
"	212	do	do do do	55 00
Oct. 21,	231	H. L Dousman,	Services as Commissioner,	90 00
Dec. 19,	234	H. R. Williams,	For removing stone from channel of Fox river, between Rapid Croche and Depere,	338 16
Dec. 30.	243	Rood & Whittemore.	Stationery, &c.	20 63
"	244	J. Brown,	Compensation for services up to 1st of January.	54 50
"	245	J. Brown,	Contingent expenses of Land Office,	55 20
"	246	Joseph Jackson,	do do do do	31 12
"	247	H. L. Dousman,	Services as Commissioner,	39 00
"	248	A. S. Story,	do do	192 20
"	249	Caleb Croswell,	do do	96 00
				1666 61

ENGINEER'S FUND.

May 13,	164	C. R. Alton,	Services as Chief Engineer.	600 00
"	165	Charles Doty,	Services as Assistant Engineer,	360 00
"	166	J. K. Anderson,	do do do	364 00
"	175	Joel S. Fisk,	Office Rent,	28 00
May 14.	177	Charles H. White,	Services in Engineer Corps,	41 00
Aug. 16,	191	Charles Doty,	Services as Assistant Engineer,	204 00
"	192	C R. Alton,	Services as Chief Engineer,	450 00
"	194	J. K. Anderson,	Services as Assistant Engineer,	276 00
"	196	James Winn,	Services in Engineer's Corps,	7 00
"	201	Thomas Buchanan,	do do do	64 00
Oct. 21,	219	John V. Suydam,	Stationery,	5 35
"	220	Charles H. White,	Services in Engineer Corps,	14 00
"	221	T. Ten Eyck,	do do do	79 00
"	222	Thomas Buchanan,	do do do	129 00
"	223	C. R. Alton,	Services as Chief Engineer,	300 00
"	224	Joel S Fisk,	Office Rent,	20 00
"	225	J. K. Anderson,	Services as Assistant Engineer,	183 00
Dec. 30,	240	do	do do do	279 44
"	242	C R. Alton,	Services as Chief Engineer,	450 00
				3853 79

EXPENSES DREDGE BOAT.

Jan. 24,	151	A. S. Story,	Service in charge of Dredge Boat,	144 00
May 13,	162	do	Pay of men and supplies and repairs,	1076 05
Aug. 16,	202	do	Services in charge of Dredge Boat,	543 00
"	210	do	Pay of men and supplies and repairs,	1174 35
Oct. 21,	226	do	do do do	762 83
"	230	do	Services in charge of Dredge Boat,	186 00
Dec. 30,	235	do	Pay of men, supplies and repairs for Dredge,	795 24
"	236	do	Insurance on Dredge Boat,	47 50
				4728 97

PORTAGE CANAL FUND.

March 2,	154	Nelson McNeal,	Locks Numbers 1 and 2,	1961 26
"	155	Thomas Reynolds,	Sections Numbers 1 and 2,	990 00
April 1,	157	Nelson McNeal,	Locks Numbers 1 and 2,	968 28
"	158	Thomas Reynolds,	Sections Numbers 1 and 2,	400 00
May 11,	159	Thomas Reynolds,	Sections Numbers 1 and 2,	1591 73
"	161	Nelson McNeal,	Locks Numbers 1 and 2,	1605 00
June 10,	179	Nelson McNeal,	Locks Numbers 1 and 2,	1202 00
"	180	Thomas Reynolds,	Sections Numbers 1 and 2,	1429 72
July 15,	184	Nelson McNeal,	Locks Numbers 1 and 2,	878 20
"	185	Thomas Reynolds,	Sections Numbers 1 and 2,	1296 66
Aug. 14,	189	Nelson McNeal,	Locks Numbers 1 and 2,	1302 25
"	190	Thomas Reynolds,	Section number 2, final estimate,	2043 78
Sept. 2,	213	Thomas Reynolds,	Section number 1,	1132 79
"	215	Nelson McNeal,	Lift lock Number 2,	1258 50
Oct. 19,	218	Thomas Reynolds,	Section Number 1,	1102 77
"	228	Nelson McNeal,	Lift Lock Number 2,	1058 87
Dec. 31,	251	Nelson McNeal,	Locks Numbers 1 and 2,	848 97
"	252	Thomas Reynolds,	Section Number 1,	960 00
				21031 58

RAPID CROCHE FUND.

March 2,	153	Jo's W. Maynard,	Dam, Lock, and Canal.	406 66
April 1,	156	do	do do do	425 38
May 11,	160	do	do do do	1070 90
June 11,	181	do	do do do	1751 02
July 13,	182	do	do do do	1600 61
Aug. 14,	186	do	do do do	996 94
Oct. 10,	216	do	do do do	4650 00
" "	217	do	do do do	1198 60
Dec. 30,	237	W. H. Bruce,	Rapid Croche valve gates, freight.*	*14 04
" "	250	D. M. Loy,	Repairs to Dam.	1048 28
				13222 43

* This amount is properly chargeable on account for Valve Gates, which is a separate charge in the report of the Board.

PRINTING FUND.

May 13,	169	Eastman & Beeson,	Advertising Land Sales,	8 00
"	170	Ryan & Magee,	do do	4 00
"	171	Cramer & Curtis,	do for proposals from contractors,	19 25
"	172	E. A. Cooley,	Specifications,	7 50
"	173	do	Proposals and advertising Land Sales,	24 60
"	174	Morley & Edwards,	Notice to Contractors and Blanks for Land Office,	83 00
May 14,	178	Cha's Robinson & Bro.	do and advertising Land Sales,	57 00
Aug. 16,	197	Morley & Edwards,	Blank Contracts, do do do	53 60
"	198	Eastman & Beeson,	Advertising Land Sales,	4 40
"	199	S. Ryan, Jr.,	do do do	11 60
"	200	J. Densmore,	do do do	12 80
Oct. 21,	227	do	do do do	9 50
Dec. 30,	239	J. D. Hyman,	Blank applications for Land Office,	3 00
"	241	E Edwards,	Notice to contractors, &c.	22 40
Dec. 31,	253	James Densmore,	Advertising Land Sale,	3 60
				324 25

WISCONSIN RIVER FUND.

May, 11,	163	C. R. Alton,	Pay of men and supplies in chopping timber on the Wisconsin River.	1180 17
Aug. 16,	193	C. R. Alton,	Surveys on Wisconsin River,	26 00
July 15,	184	N. McNeal,	Scow for improvement of Wisconsin River,	120 00
Sept. 2,	214	N. McNeal,	do do do	405 00
Oct. 21,	229	N McNeal,	do do do	274 00
				2005 17

CEDAR RAPIDS FUND.

July 13,	183	White, Resley, & Arndt,	Dam, Lock, and Canal.	1208 63
Aug. 14,	187	do do do	do do do	3176 12
Oct. 21,	232	do do do	do do do	1500 00
Dec 31,	255	do do do	do do do	1664 57
				7549 32

GRAND CHUTE FUND.

Aug. 14,	188	Fitch P. Tallmadge,	Sections Numbers 1 and 2.	2293 92
Oct. 21,	233	do	do do do	1500 00
Dec. 31,	254	do	do do do	862 67
				4656 59

DEPERE FUND.

Dec 30	238	W H Bruce,	Freight on Valve Gates,	10 00

TOTAL EXPENDITURE, - - - - - - - - - - - - - - - - - - $59048 71

LIST OF LANDS.

Remaining unentered at the State Land Office at Oshkosh, December 25, 1850.

	Sec.	T.	R.
S hf and lots 2, 3 and 4	11	12	9
W hf of s w qr and s hf of n w qr	13	do	do
N e qr and N hf of s e qr	15	do	do
N e qr	23	do	do
N e qr	1	13	do
Lots Nos 1 and 3 and s e qr of n e qr	3	do	do
E hf of s e qr and s w qr of s e qr and s e qr of s w qr	3	do	do
All of frac.	9	do	do
E hf and n w qr and n e qr of s w qr	11	do	do
S w qr	13	do	do
N w qr and s w qr of n e qr and e hf of s e qr and n w qr of s e qr	27	do	do
W hf and w hf of s e qr	1	14	9
S e qr of s e qr and s w qr of n e qr	1	do	do
N e qr and e hf of s e qr	3	do	do
N w qr of s e qr and w hf of s w qr	3	do	do
W hf of the s w qr	3	do	do
E hf of the n e qr and n w qr of the n e qr	5	do	do
Lots Nos. 3 and 4	5	do	do
Lots Nos. 1, 3 and 4	9	do	do
N e qr and n w qr	11	do	do
S e qr	11	do	do
N e qr and s e qr	13	do	do
N e qr and s e qr	15	do	do
Lots Nos. 1 2 3 4 and 5	15	do	do
Lots Nos. 1 and 2	23	do	do
N w qr and n e qr	25	do	do
S e qr	25	do	do

	Sec.	T.	R.
Lots Nos. 1 and 2	27	do	do
N e qr of s e qr	35	do	do
Lot No. 3	21	15	9
N e qr and s e qr	23	do	do
S w qr	23	do	do
W hf of n e qr and e hf of n w qr	25	15	9
E hf of s e qr and s w qr of s e qr	25	do	do
W hf of s w qr and s e qr of s w qr	25	do	do
S w qr	27	do	do
N e qr of the n e qr	31	do	do
N e qr and s e qr	33	do	do
N w qr and s w qr	33	do	do
E hf of the n e qr	35	do	do
W hf of the s e qr	35	do	do
E hf of n w qr and s w qr of n w qr	do	do	do
S w qr	do	do	do
N w qr and w hf of s w qr	7	13	10
Lots 1 2 3 4 5 6 and 7	1	14	10
S e qr of the s e qr	do	do	do
W hf of the s w qr and n e qr of s w qr	do	do	do
N e qr and s e hf of the s w qr	3	do	do
N w qr and s w qr of the s w qr	3	do	do
E hf of n e qr and n w qr of n e qr	5	do	do
S w qr and s w qr of s e qr	7	do	do
N e qr of n e qr	9	do	do
N w qr of n e qr	11	do	do
N e qr of n e qr	13	do	do
S w qr and w hf of n w qr	17	do	do
E hf of s e qr and n w qr of the s e qr	19	do	do
N e qr and n e qr of s w qr	19	do	do
N w qr	19	do	do
N w qr of the n w qr	29	do	do
E hf of the s w qr	29	do	do
W hf of the n w qr	31	do	do
S w qr	31	do	do

APPENDIX.

	Sec.	T.	R.
N e qr and n w qr	19	15	10
S w qr and s e qr	19	do	do
N hf of n w qr	21	do	do
S hf of s w qr	21	do	do
Lots Nos. 1 2 4 and 5	25	do	do
S hf of s w qr	25	do	do
S e qr and lot no 1	27	do	do
W hf of n w qr	27	do	do
S e qr and s e qr of n e qr	29	do	do
W hf of n e qr and n w qr	29	do	do
S w qr	29	do	do
N e qr an n hf s e qr	31	do	do
N w qr and n hf of s w qr	31	do	do
N e qr and s e qr	33	do	do
N w qr and s w qr	33	do	do
N e qr and s e qr	35	do	do
N w qr and s w qr	35	do	do
S e qr and s hf of the n w qr	1	14	11
S w qr	1	do	do
N e qr and e hf of s e qr	2	do	do
N w qr	2	do	do
N e qr of the n e qr	3	do	do
S e qr of the n e qr	4	do	do
Lots No 1 2 3 and 4	5	do	do
N w qr	5	do	do
N e qr and n e qr of the n w qr	6	do	do
N e qr and n hf of s e qr	7	do	do
E hf of n w qr and e hf of s w qr	7	do	do
S e qr and s w qr	9	do	do
W hf of n e qr and s e qr of n e qr	9	do	do
E hf of n w qr and s w qr of n w qr and lot no 1	9	do	do
N e qr and w hf of s e qr	10	do	do
N e qr of n e qr	17	do	do
N w qr of n w qr	17	do	do
N e qr of the n w qr	18	do	do

	Sec.	T.	R.
All of frac.	19	15	11
S w qr of the s e qr	31	do	do
W hf of n w qr	34	do	do
N w qr of the n w qr	4	15	12
N e qr of the n e qr	6	do	do
S hf of the s e qr	6	do	do
W hf of the n e qr	7	do	do
N w qr of the n e qr	7	do	do
N e qr of the s e qr	7	do	do
N e qr of the s w qr	9	do	do
N e qr and s hf of n w qr	15	do	do
E hf of s w qr and n w qr of s w qr	15	do	12
S e qr	15	do	do
N e qr and s e qr	17	15	12
E hf of the n w qr and n w qr of the n w qr	17	do	do
Lots nos 1 2 and 3	17	do	do
S e qr of the s e qr	19	do	do
Lots nos 1 2 3 and 4	19	do	do
S w qr and w hf of the n w qr	21	do	do
N e qr of the s e qr	21	do	do
N w qr of the s w qr	22	do	do
W hf of the n e qr	22	do	do
N w qr of the n w qr	27	do	do
N e qr of the n e qr	29	do	do
S e qr of the n w qr	29	do	do
W hf of thd s w qr	29	do	do
S hf of the s w qr	31	do	do
N e qr and n hf of the s e qr	1	16	12
N w qr and n hf of the s w qr	1	do	do
N e qr and n w qr	3	do	do
S w qr	3	do	do
E hf of the s e qr and n w qr of the s e qr	5	do	do
E hf of the n e qr and n w qr of the n w qr	5	do	do
W hf of the n w qr	9	do	do
N hf of the n e qr	15	do	do

	Sec.	T.	R.
N w qr and s w qr	15	do	do
N e qr of the n w qr	20	do	do
N w qr of the n e qr	20	do	do
S e qr of the s e qr	29	do	do
Lots no 2 and 3	13	17	12
All of frac	23	do	do
N e qr and n w qr	25	do	do
S e qr and s w qr	25	17	12
S e qr and s w qr and s hf of s e qr	33	do	do
Lots 1 2 3 4 5 6	33	do	do
N w qr and s w qr	35	do	do
S e qr	35	do	do
W hf of the n w qr	6	16	13
W hf of the s w qr	6	do	do
N e qr of the s w qr	6	do	do
S e qr of s e qr	9	17	13
W hf of the s e qr and s e qr of the s w qr	19	do	do
W hf of the s w qr	do	do	do
N w qr of the n w qr	29	do	do
W hf of s w qr	do	do	do
N e qr and n w qr	31	do	do
S w qr	do	do	do
N hf of the s w qr	32	do	do
N e qr and n hf of s e qr	36	18	13
S w qr and w hf of the n e qr	5	17	14
W hf of the n w qr and n e qr of the n w qr	do	do	do
E hf of the n e qr	9	do	do
N hf of the n w qr	10	do	do
E hf of the s e qr and s w qr of s e qr	31	18	14
E hf of the s w qr and n w qr of the s w qr	do	do	do
Lot no 2	do	do	do
E hf of the n e qr	33	do	do
N hf of the s e qr	do	do	do
N w qr of the n w qr fraction	1	do	15
Lots no 1 and 2	23	19	15

	Sec.	T.	R.
S e qr and s w qr.	25	19	15
Lots no 1 2 3 and 4	27	do	do
S e qr and e hf of s w qr	35	do	do
E hf of n e qr and s w qr of the n e qr	do	do	do
Lots no 1 and 2	do	do	do
Lot no 2	9	18	16
N hf of the s e qr	7	19	16
S hf of the s w qr	9	do	do
N hf of the s e qr and s w qr	7	19	17
S w qr of the n e qr	do	do	do
S e qr of the s e qr	1	21	17
W hf of the n e qr	31	do	do
S e qr of the n w qr	3	15	18
N w qr of the s w qr.	do	do	do
N e qr of the n e qr	5	do	do
N e qr	11	16	18
E hf of the s w qr	15	do	do
W hf of the s e qr	27	16	18
E hf of the s w qr	do	do	do
N hf of the n e qr	33	16	18
S hf of the s w qr	do	do	do
S e qr and e hf of the n e qr	1	19	18
E hf of the n e qr and w hf of the s e qr	1	20	18
S w qr and s hf of n w qr	do	do	do
S w qr of the s w qr	3	do	do
N w qr and s w qr	11	do	do
N e qr	do	do	do
N e qr and n w qr	13	do	do
S w qr and s e qr	do	do	do
N e qr	25	do	do
S e qr and s w qr	1	21	18
S e qr and s w qr	3	do	do
S e qr and s w qr	5	do	do
N e qr & e hf of the n w qr & n w qr of the n w qr	9	do	do
All of fraction	11	do	do

	Sec.	T.	R.
N e qr and n e qr of the s e qr	15	24	18
E hf of the n w qr and n w qr of the n w qr	do	do	do
N w qr of the n w qr	17	do	do
S e qr and e hf of the s w qr	35	do	do
S hf of n e qr and lots nos 1 and 2	do	do	do
N e qr and n w qr	5	19	19
S e qr and s w qr	do	do	do
N e qr and n w qr	7	do	do
S w qr and w hf of s e qr	do	do	do
Lots 3 and 4	17	do	do
N w qr of the n w qr	3	20	19
E hf of the n e qr and s w qr of the n e qr	5	do	do
N hf of the s e qr and n e qr of the s w qr	do	do	do
W hf of the s w qr	7	do	do
S w qr of the s e qr	do	do	do
S w qr	17	do	do
N w qr and n e qr	19	do	do
S w qr and s e qr	do	do	do
N e qr	1	21	19
S e qr of the n w qr	11	do	do
N e qr and w hf of the s w qr	13	21	19
W hf of the s e qr and n e qr of the s e qr	do	do	do
N w qr and s w qr	15	do	do
S e qr	17	21	17
N w qr and s w qr	21	do	do
S e qr and n e qr	do	do	do
N e qr and n e qr of the s w qr	23	do	do
W hf of the s w qr and n w qr of the n e qr	27	do	do
W hf of the n w qr and n e qr of the n w qr	do	do	do
N w qr and n e qr	29	do	do
S w qr and s e qr	do	do	do
N e qr and s e qr	31	do	do
N w qr and w hf of the n e qr	33	do	do
N e qr of the n e qr	do	do	do
N w qr of the s e qr	do	do	do

	Sec.	T.	R.
N e qr of the s w qr	33	21	17
S w qr of the s w qr	11	22	19
Lots nos 1 and 3	do	do	do
W hf of the s w qr and s e qr of the s w qr	13	do	do
Lots nos 1 and 2	do	do	do
N e qr and n w qr	15	do	do
S w qr and n w qr of the s e qr	do	do	do
N e qr and e hf of n w qr	21	do	do
E hf of the s w qr	do	do	do
N e qr and n w qr	23	do	do
S w qr and s e q-	do	do	do
S e qr and e hf of the n e qr	27	do	do
S w qr of the n w qr	do	do	do
S hf of the n e qr	29	do	do
E hf of the s e qr	25	do	do
S hf of the n e qr	5	21	20
N e qr of the s e qr	do	do	do
N e qr of the n w qr	do	do	do
N e qr and n e qr of the s e qr	7	do	do
N w qr and s w qr	do	do	do
W hf of the s e qr	do	do	do
N e qr	9	22	20
S w qr and n e qr and s w qr of the n e qr	do	do	do
E hf of the s e qr	15	do	do
W hf of the s w qr	do	do	do
N e qr and w hf of the s e qr	17	do	do
S w qr	17	22	20
N e qr and s w qr	19	do	do
S e qr	do	do	do
N w qr and w hf of the n e qr	21	do	do
S w qr and w hf of the s e qr	do	do	do
N w qr	29	do	do
N e qr and n w qr	31	do	do
S w qr and s e qr	do	do	do
Lot no 1.	19	23	11

REPORT

OF

CALEB CROSWELL,

ONE OF THE

BOARD OF PUBLIC WORKS.

IN RESPONSE TO

A RESOLUTION OF THE ASSEMBLY.

ADOPTED ON

TUESDAY, FEBRUARY 4, 1851.

DOCUMENT "H."

REPORT.

MADISON, February 8th, 1851.

To the Honorable the Assembly of the State of Wisconsin :

Gentlemen :—As a member of the board of public Works of this State, I have been served with a copy of a resolution recently adopted by your honorable body, requesting me to report to the Assembly as soon as practicable, my reasons for not signing the late report made by my associates in the said Board— and also requesting me to give a full statement of all the points of difference between myself and my said associates, touching the improvement intrusted to us, and that I should furnish such a report in fact, as I would feel disposed to do if I were the sole commissioner.

Of the introduction of the Resolution referred to, I had no previous personal knowledge. It leaves me no alternative (were I disposed to evade the inquiry, which I feel no inclination to do,) but a prompt compliance with its terms, to the extent of my information. This I shall now proceed to perform with as much precision and accuracy as the records and facts now before me will allow. The absence of the books and documents of the Board, (they now being in the State Register's office at Oshkosh) throws some embarrassments in the way of my giving that full and definite statement which I could have desired.

That I differed in opinion on some essential points embraced in the late report of my associates, I do not deny. They were differences arising out of the mode and manner of executing the public works we had jointly in charge, and also in reference to the expenses and disbursements attending the same. These opinions may have been honestly entertained

on the part of my associates. I arraign not their motives or intentions, but feel bound to give them all the consideration and credit they deserve. So far as our joint action has been had upon matters in which we were mutually concerned, I feel bound to sustain and defend them. As to the points on which we differed, they will be fully understood by a brief statement of the causes of those differences and the grounds of our disagreement, which I have now the honor, respectfully to submit to the consideration of the Assembly.

The first objection which I felt called upon to make to the Report, was to the statement given in these words: "Theodore Conkey proposed for the construction on that side of the river, of section No. 1, (of canal) lock No. 4, and the dam, for the aggregate sum of $11,971 25, and the right to all the surplus water for hydraulic purposes."

The precise amount of the lettings at the Grand Chute, cannot, now be given by me. To do this with perfect accuracy, reference must necessarily be had to the specifications and proposals now on file in the State Land Office at Oshkosh.—That there is, however, a palpable error in the aggregate amount stated as Mr. Conkey's bid, it is quite impossible that I can be mistaken. It should be $9 971 25, instead of $11,971 25, leaving a difference of two thousand dollars, and allowing *their statement of the contract* with Fitch P. Tallmadge, to be correct, the difference in favor of Mr, Conkey's proposition, and consequently, the location of the work on the west side of the river, would amount to $4,674 03, instead of $2,674 03, as set forth in the report. This "*latter sum*" (as stated in the report,) *would have been the only real equivalent that the State would have received for all the water power at the Grand Chute.*

It was further proposed by Mr. Conkey, to keep the dam, and the section of canal, down as far as the lock, in good and perfect repair forever—also, to make the canal portion of the work 100 feet wide, instead of 45 feet, as the specification alled for. This is an important consideration in such a work

and in all operations of its kind. That a great error of judgement was committed, and one that may be seriously felt in future time, throughout all that portion of the state where the improvements re erred to are constructing, seems to be too palpable for denial. At any rate, the circumstances are collectively such, in reference to this matter, as to justify me in the position I assumed. But this proposition of Mr. Conkey by no means included "*all the water power at the Grand Chute,*" as stated; but that portion of it, only, embraced in the *upper dam*, and the section of canal adjoining it, down to the lock. The particular work allotted to Mr. Tallmadge, included all the work to be done at the Grand Chute, and consisted of *two* spar dams, 4 locks, and something over 5,000 feet of canal. The dam to be constructed at the foot of the rapids is to be *nine feet* in height. This will, of itself, as will readily be discovered, afford a water power superior to the one at the head of the rapids, and certainly had the state the authority to sell or dispose of the one to Mr. Conkey, she had also the same power to transfer the other—and I may here remark in connection with this branch of the subject, that the upper dam, by contract, is to be built about *six feet and six inches* high.

From the foregoing statement. it will be seen that Mr. Conkey's proposal for such power embraced even less than one-third of the whole disposable water power at that point.

In further allusion to the proposition of Mr. Conkey, I may with propriety here remark, that his bids were so fa orable as clearly to show that no small item of expense would have been saved under them. His guaranty to keep up all repairs was of great and weighty consideration; especially as so large a portion of the work is to be built of timber (so subject to rot and decay) as to create the necessity of sometimes being renewed. One reason assigned in support of the disposition that was made, is, that "the east side of the river afford the best facilities for the construction of the improvement." I shall have to express my surprise at this latter intimation, co-

ming to me as it did, at so late a period, for really I never heard of this reason being urged until the actual making up of the report, and its submission for my perusal. The only reason given at the time was, that the amount of work proposed to be done by Mr. Conkey, was of less value than the water power which he was to receive, if the arrangement was entered into.

I come now to another branch of this subject, upon which a single remark may not be inappropriate. On the 5th page of the printed report, in speaking of the use of the Dredge Boat the Commissioners say that they "are well satisfied with the energy with which its operations have been prosecuted." In this compliment I could not join. From information I had received, and which I believed reliable, as well from my own personal observation at Fort Winnebago during the season, it was out of the question for me to subscribe to this portion of the report, nor can I, without doing violence to my own feelings, forbear to remark in allusion to the above statement, that it is my deliberate opinion that more than a month's time of the working of the Dredge was lost, by the indifference and carelessness of the commissioner who had it in charge. From my knowledge of the operations of the Dredge, (and my opportunities for judging of them have not been limited,) I am confident that a much cheaper, more successful and more economical plan can be adopted, for the uses and purposes intended.

It may not, perhaps, be out of place in me here to observe, in relation to this Dredge Boat, that it should, in my opinion, be given in charge of some responsible in dividual, who should have a stated sum, say not exceeding $2 per day, for his service; and who should be required to furnish provisions and board for the requisite hands to man it at a specified price per week. This would, under proper and judicious management, secure the full benefits of its employment in the public service.

There is another point of some importance to which I beg leave to advert, connected with the progress and success of the work at Fort Winnebago, the prosecution of which, at one

time, seemed to need the quickening admonition of some of the officers having it in charge. Acting upon the knowledge I had of the tardy operations there, I frequently, during the past season, urged upoe the contractors the pressing necessity of hastening the completion of their contracts, for the purpose of bringing the improvements into early use, and to save the expense of further superintendence. I have recently been informed by one of the contractors, who, on one occasion, was desirous of leaving his contract unfinished until the opening of spring navigation, with the view of obtaining lumber at a cheaper and more convenient rate, that the acting commissioner in charge of that work, encouraged him to defer finishing his contract until the coming spring—observing at the same time, that if he did so, he should, be protected by himself and his associate commissioner in the report, who always, he said, voted with him, when in the Board. I name this circumstance with no unkind feeling towards that officer, and only with the view of citing the legislature to a fact which will sufficiently illustrate the unpleasant position I was made to occupy in the Board—being thus deprived of all power of having any voice or control in the matters committed to our joint charge.

Still another fact occurs to me, which has not probably escaped the vigilant eye of the legislature. It is in reference to the cost of the locks at Fort Winnebago. The expense of that work, as may be seen, has exceeded the contract price for its construction over $7,000. The reason assigned by the chief Engineer, whose views and opinions are before the legislature, is, that this augmentation of expense occurred from a change of location (after lettings) excavation, embankment, &c.—Whether this reason is substantial and sufficient to excuse the charge of extravagance, it is no part of mine to decide. The late Report of the Board does not point out this increase, but a moment's reference to a former report will show it; and I am clear in the conviction that future experience will also show the necessity of planking the whole length of the canal, in order to protect the banks;—and this fact I find anticipated in

the report made in January, 1849, from which I here make the following extract:

"It has also appeared necessary to calculate upon protecting and supporting the inner slopes of the canal, as high as the water line, as well on account of the swell that would naturally be created by the passage of the boats, as from the tendency of the material to slide after the excavation shall have been completed."

The planking of not quite half the length of the canal, and that the narrowest portion, subject as it is to be affected by the disturbing of the water, was provided for in the contract with Mr. Reynolds; and it appears to me particularly unfortunate that his contract was not made to cover the entire distance of the canal. The most indifferent observer, it strikes me, could not fail to see the deficiency of the banks remaining unplanked, and the importance of the canal, being properly protected before being brought into use. The banks are mostly of a sandy material, and easily removed by the washing of the water. The reason of my now alluding to this point, is, to supply what seems to me to have been an important omission. (probably inadvertantly happening in the Report of my associates,) in not giving the total expenditures required on this branch of the improvement. The whole cost of the entire work at this point, when completed, cannot fall much, if any short of $52,500

The canal, and Guard and Lift locks on the Winnebago Portage, were put under contract on the first day of May, 1849. That for the construction of the canal, to Thomas Reynolds, for $21,479 84, and the Locks to Nelsou McNeal, for the sum of 15,644 84. The canal, under the contract with Mr. Reynolds, according to the showing of the Report, will be completed without additional cost. And here may I respectfully suggest whether sound policy, and the best interests of the improvement, will not be promoted by giving authority to the Board to dispose of the water power created by this canal, by selling it to the highest bidder. This water power, no doubt

belongs to the state, coming as it does within the limits of the canal Grant; and quite an item might thus be added to the improvement fund.

The only work that has been put under contract and commenced on the line of the Improvement during the past year, the period of my connection with it, are the operations at the Grand Chute, (before alluded to,) and Cedar Rapids. The work at both these points has been suspended for want of means. The former, after an expenditure of $4,656 59, the latter, of $7,549 32.

The improvement of the channel of the Fox River, between the Fort and Lake Winnebago, including the cost of building and repairiug the dredge boat, and working the same, together with the engineering, has cost the fund about $19,000.

The work at Menasha has not progressed with the rapidity that was promised, and that we had good reason to expect; but no great length of time is required for its completion, and we have a right to anticipate its future prosecution with the zeal and energy commensurate with its importance. The dam which is already completed, is a good and substantial structure.

The next point to which I feel called upon to make reference, in justice to my position, and the interests of the state, is the work at Rapide de Croche. This branch of the Improvement was let on the 12th day of May, 1849, to Joseph W. Maynard, for $11,181 08. This work was located on the east side of the river; and the location of the Dam and Lock has proved quite unfortunate for the improvement, both as to economy and durability. Had the dam been placed one thousand feet down the stream, two essential advantages would evidently have been gained. In that event, it would have been placed beyond the smooth rock, dipping down stream, which forms the present foundation, and upon which it has proved so difficult to make the work substantial and permanent, and it would necessarily have saved a large amount of excavation and docking, which were found necessery to se-

cure a greater depth of water, and have avoided quite an increasc of expenditure. The amount already expended at this point, in repairs of the dam. sinking of the lock, and the other work just enumerated, is by no means trifling. It amounts to the ronnd sum of $9115 07—making the total amount of expenditure $20,310 19.

In view of all the facts in regard to this work, I feel free to venture the expression of my own convictions, that by proper effort, it can be secured and made permanent and serviceable in its present location at an outlay of four or five hundred dollars. To accomplish this object with that amount of money, prompt action is demanded. But, whenever it shall become necessary to rebuild the lock, a change of the entire work may become indispensable.

At Depere it would not have been necessary to expend any portion of the money belonging to the improvement fund, for the completion of the work, had the Lock been placed sufficiently low for any stage of water. This work was contracted for by Mr. Maynard in May, 1849, for the sum of $10,747; but the state was released by him from the obligations of the contract, and it was let to Joshua F. Cox, for the sum of one dollar, in consideration of the location of the improvement on the East side of the river. Owing to this failure, an appropriation of $1,350 86 is necessary to remedy the difficulty, and render the improvement available.

The legislature will, I trust, bear with me in making a suggestion here in reference to the pay of the laborers employed upon the Public Works. The law governing the improvement should, it strikes me, the better to promote the ends of justice and humanity, be so amended as to give authority to the board to retain from the amount of money due to contractors, a sum sufficient to pay the honest laborer what is justly his due. It is well known that the small amount they earn is essential to the daily support of their dependent families. It is barely sufficient for this purpose; and a failure to receive it, from any cause, is a serious misfortune to them, and one which has been

the means of great suffering to this needy and hard working portion of community.

I turn now to notice the probable amount of means necessary for the prosecution of these improvements hereafter. The resources for future operations are thus laid down by the board on the tenth page of their report:

The following statement will show what can probably be relied upon as the basis of operations for the next six months:

LIABILITIES,

Due to contractors on completion of canal and Locks at Fort Winnebago,	$10,517 83
To finish repairs at Rapide Croche dam and Depere Lock,	1,500 00
Repairs of Dredge Boat	1,000 00
Running " " three months,	1,500 00
Engineering and contingencies,	1,500 00
	$16,017 83

RESOURCES.

Amount that is supposed will be realized from sales of lands to 1st of July,	$7,500 00
Add balance in hands of treasurer 1st January,	8,388 82
Amount,	$15,888 82

"From the foregoing statement, it will be seen that no funds will be applicable to the continuation of the work at the Grand

Chute and Cedar Rapids, unless lands should sell with greater rapidity than is anticipated.

"No new liabilities will be incurred by the board until more lands can be obtained, and they would recommend that, as long as sufficient funds are on hand for that purpose, the steam dredge should be kept constantly at work in the improvement of the Upper Fox River, as the opening of a channel of communication to the Portage canal, and through that to the Wisconsin, is of the utmost importance."

By this statement it will be seen, that there will not be sufficient funds in the treasury to meet the public liabilities for the next six months; but this assertion is somewhat unfortunate in being found in direct conflict with another part of the same Report;—as a new liability is urged, by the proposition of the Commissioners to the amount of about $1,700 for the running of the Snag Boat, when in fact there are no funds for continuing the work under the contracts already entered into at the Grand Chute and Cedar rapids. The Chief Engineer and Superintendent of the improvement, estimates the expense at $800 for four months, but I am confident that the first mentioned sum will not materially vary from the actual cost.

I come now to another item in this matter, no less attractive in its character, and in no less degree inviting the scrutiny of the Legislature. I allude to the use of this snag boat, (or crane scow,) to be employed in removing snags from the river. The Board in their report, thus speaks of this river craft, and its uses :

"A Crane Scow for the removal of snags and to afford facilities for the cutting and removal of such timber as may still interfere with the navigation, was constructed last fall. It would be advisable to send this scow down the Wisconsin, with a proper complement of men, as early next season as the stage of water will permit, for the purpose of still further improving the navigation of that stream."

This scow, when properly finished and fitted, will have cost

the improvement about 1,000; and this outlay, together with the expense of working it, will have to be deducted from that part of the fund to be expended in the improvement of the Wisconsin river. About the first of July last, when but little expense had been incurred by the contractor, beyond the procuring of lumber, and the contract for building not having been executed by the Board, I satisfied myself that it could never be made to answer the purpose intended—and, thus satisfied, I urged the necessity of stopping the work upon it. I was the better fortified in this opinion by offers that had been made by Captain Cooke to remove, with his crew and steam boat, all the obstacles in any way interfering with the navigation, for a less sum than the contract price for building the boat. He also proposed to work by the day, with his crew and steamboat for a sum not amounting to more than the actual cost of working the snag boat. Either of these propositions, in the light that I regard them, and as the legislature will be likely to regard them, would have been decidedly preferable to the building of such a boat—certainly so in reference to the expense.

Had the building of the boat in question been stopped at the time it was first suggested, the entire loss to the improvement fund would not have exceeded one hundred dollars; and I might here enumerate the monthly expense of working the boat, to show the losses incurred. But I have already exceeded my intended limits in the statement here respectfully submitted, that I have only in conclusion, to hope, that the Honorable Assembly, will be able to discover, in what I have here set down, a sufficient apology and justification for the omission to connect my name with those of my associates in the Report to which I have referred.

In responding to the Resolution of your Honorable body, im pelled by a sense of duty, I have felt myself called upon to submit as full a statement as the short time allowed me would permit; and I trust it will serve, in some degree, at least

to explain my own position in the board, as an individual member of it, and the reasons why my own voice has been of so little service (a matter I have greatly to regret) in advancing and protecting the best interests of the Public Works of the State.

CALEB CROSWELL,
Member Board of Public Works.

REPORT OF THE MAJORITY

OF THE

JUDICIARY COMMITTEE,

OF

THE ASSEMBLY,

ON

THE MATTER OF USURY LAWS, &c.

DOCUMENT "I."

The committee on the Judiciary to whom was referred bill No. 2, Assembly file, entitled "a bill relating to the interest of money, together with numerous petitions on that subject," have had the same under consideration, and a majority of them have instructed me to make the following

REPORT:

Usury is an evil of no recent origin. It has existed since the foundation of the world, and laws regulating the use of money have prevailed since the earliest formation of governments, in every part of the earth.* Their, necessity and justice, demanded by the wrong and injury inflicted upon the people by ruinous rates of interest, have found a place upon the statute book of all countries and communities holding any rank in the scale of nations. From the days of Justinian, these laws and regulations have formed a subject of anxious inquiry, not only among the people, but in the courts constituted to enforce them. Penalties, not light or trivial, but severe and stringent, have been annexed to their violation. Few governments of the world have found it consistent with public policy and the administration of public justice, to withhold from their civil codes those statutory restraints upon the mercenary cupidity of men, so vitally essential to protect the poor and necessitous from becoming too easy a prey to the biting avarice of the capitalist. Ancient history is full of examples of this character. The most enlightened nations established usury laws, and fixed a limit to the use of money. Among many of the most prosperous and distinguished of those nations, it was, for many centuries, contended that money had no intrinsic value beyond its own specific representation—that a dollar should be the representation of a dollar and no more, and so

repulsive was the idea of usury in the earlier ages of the world that the most rigid penal enactments were created to suppress it. Enlightened Rome, in the zenith of her prosperity and power, took strong ground against all usury. Under a decree of the twelve tables, the rates of interest at one time were fixed at one per cent, which were subsequently reduced to the very low standard of a half per cent throughout that republic. At an after period in her history, such were the complaints and clamours of the people, that even this small exaction was erased from her statute book, as utterly repulsive to the feelings and notions of the Roman people. But the subsequent trade and commerce of that great empire revived it, restraining it at different periods to four and six per cent for ordinary transactions, allowing it to run as high as eight per cent for commercial purposes, and up to 12 per cent for all maritime hazards. Beyond these rates no one dared to adventure with his money.

In furth er illustration of this subject, we beg leave to embody in this report an extract from the opinion of one of the most learned jurists of our day, the distinguished Chancellor Kent, as set forth in 16 Johnson's Reports. The learned judge, after briefly noticing the usage of some of the older governments in relation to usury, presents the following beautiful summary of his opinion :

The Romans through the greater part of their history, had the deepest abhorrence of usury. They did not derive their objection to usury from the prohibitions in the Mosaic law ; nor did they hold it sinful, as the learned fathers of the early and middle ages of the Church have done, for they knew nothing of that law.

The Roman lawgivers and jurists acted from views of public policy. They found by their own experience, that unlimited usury led to unlimited oppression, and that the extortion of the creditor, and the resistance of the debtor, were constantly agitating and disturbing the public peace.

But it is not only the civilized and commercial nations of modern Europe and the sage lawgivers of ancient Rome, that have regulated the interest of money. It will be deemed a little singular that the same voice against usury should have been raised in the laws of China, in the Hindoo Institutes of Men, in the Koran of Mahomet, and perhaps we may say, in the laws of all nations that we know of, whether Greek or Barbarian.

There is one exception, however, that we ought to notice, and which is supposed to be found in the laws of Solon, given to the Athenian Republic. This celebrated lawgiver is said to have allowed parties to regulate the rat e of interest by their own contracts.

When Solon was called to make laws for Athens, the State was in complete anarchy, and when he was asked if he had provided the best of laws for the Athenians, he replied that he had provided the best that their prejudices would admit of.—One of his first steps was, to cancel all existing debts, though according to Plutarch, (Life of Solon,) it is not certain that he proceeded to this violent measure, for many said that he did not cancel debts, but only moderated the interest. And the result of his allowing interest to regulate itself, I shall give in the words of De Pauw (Recherches Philosophique sur les Greces, 5 sec. §2.) He says that usage fixed the rates of interest at twelve per cent, in certain cases, and at 18 per cent in others, and that "the Athenians regarded all those who did not conform to this usage as usurers, that is, as the most vile and the most ignominious of mankind. The public voice which cried against them, and the profound contempt to which they were condemned, formed a punishment so great that the lawgiver did not deem it necessary to add any other punishment." The usage in this case formed the law.

Now, according to this view of the fact, interest was limited at Athens as effectually and as precisely by this customary law, as it would have been by any penal statute, and the Athenian commonwealth is not to be cited as a real exception to the general practice of mankind.

The principal error which has prevailed on this subject is the condemnation of any kind of interest, however small.—A host of great names, from Aristotle among the Greeks, to the modern civilians, such as Domat and Pothier, might be cited, who rank all interest of money under the name of usury and condemn it.

But the sense of mutual benefit has on this point, resisted, with equal firmness, the decrees of the Church and the speculations of Philosophers, and a regulated and reasonable interest has had the sanction, not only of our own municipal law, but of the most cultivated and enlightened reason. Grotius, (lib. 2, c. 12. § 12, 22,) after discussing the question whether usury be permitted by the natural and divine law, concludes that a reasonable interest may be permitted; and he cites Holland as an instance, in which eight per cent is the ordinary, and twelve per cent the mercantile interest. But he insists, that interest cannot be rightfully permitted beyond a reasonable limit. *Non mordaces sed modice*, according to Heiniccius, in his commentary on this passage and who admits that it belongs to the discretion of the lawgiver to regulate the *quantum* of interest. He says further, that in Germany, by imperial ordinances in 1600 and 1654, interest at the rate of five per cent, was allowed though the canons of the Church, every where condemned it, and higher interest is now permitted, (Heinec. Elem. Jur. Germ. lib. 2. tit. 13, §378, Elem. Jur, civ. second ord. Pand. part 4, lib. 22, tit. 1, §104, Polic. in Goot ubi. sup.)

Puffendorf, (Le Droit de la nat, et des gens lib. 5, ch, 7,) examines the subject at great length, and with great learning, and concludes with his approbation of those civil laws which allow and regulate interest, but do not permit individuals to take just what their cupidity would demand. Lord Bacon, in one of his moral essays, (No. 4,) has also discussed the question and examined the arguments for and against interest, with his usual sagacity, and he concludes that two things are to be reconciled: "The one," to use his own words, "that the tooth

of usury be grinded, that it bite not too much, the other, that there be left open a means to invite moneyed men to lend for the continuing and quickening of trade ;" and he recommends a general rate of interest, say 5 per cent, for ordinary cases, and a higher rate of interest in matter of trade.

Can we suppose that a principle of moral restraint of such uniform and universal adoption, has no good sense in it ? Is it altogether the result of monkish prejudice ? Ought we not rather to conclude that the provision is adapted to the necessities and the wants of our species; and grows out of the natural infirmity of man, and the temptation to abuse inherent in pecuniary loans.

The question of interest arises constantly and intrudes itself into almost every transaction. It stimulates the cupidity for gain, and sensibly affects the heart, and gradually presses upon the relation of debtor and creditor. Civil government is continually placing guards over the weaknesses and checks upon the passions of men, and many cases might be mentioned, in which there is, equally with usury laws, an interference of the lawgiver with the natural liberty of mankind to deal as they please with each other. But no person doubts of the necessity and salutary efficacy of such checks.

On the same principle that unlimited usury may be permitted, the law ought to allow the creditor to insert in his bond a provision for compound interest, whenever the stipulated interest becomes due and is not paid. Nay, parties ought to be allowed to agree that if the condition of a bond be not performed at the day, the penalty shall not only be nominally forfeited, but literally exacted. I should apprehend that if these things were to be permitted, there would not be strength enough in the government to support the administration of justice.— It is an idle dream to suppose that we are wiser and better than the rest of mankind. Such doctrine may be taught by those who find it convenient to flatter popular prejudice ; but the records of our courts are daily teaching us a lesson of more humility. And I apprehend it would be perilous in the ex-

treme, to throw aside all the existing checks upon usurious extortion, and abolish or traduce a law which is founded on the accumulated experience of every age.

The Roman commonwealth, if we may place reliance upon its earlier history, tried every experiment on this interesting subject. The Romans had no law regulating the interest of money, and left the parties to their own contracts, until the law of the twelve tables, according to Tacitus, or the law of the tribunes, in the year of Rome 398, according to Montesquieu. The consequence was, unceasing quarrels between the patricians, plebians, and popular secessions to the *mons sacer*, in which one party pleaded the obligation, and the other the severity of their contracts. Interest was then reduced to the smallest allowance, and finally abolished, which led to a still more frightful usury, until at last, the emperors were obliged to allow, but regulate and limit the charge of usury. So true it is, according to the President Montesquieu (*Esprit des Loix* liv. 22 ch. 21, 22,) who has discussed this subject at large, that extreme laws produce extreme evil, *les loix extrimes dans le bein font naitre le mal extreme.* The Romans, at one time, had no laws against usury, and at another time, they allowed no interest, and these are the extreme laws, which this celebrated civilian condemns.

Lord *Redesdale* said in 1803, (1 Sch. & Lef. 195, 212) many years after Jeremy Bentham, to whom the learned counsel referred, for an able defence of usury, had first published his letters, that the statute of usury was founded on great principles of public policy. It was intended, he said, to protect distressed men, by facilitating the means of procuring money on reasonable terms, and by refusing to men who sit idle, as high a rate of interest without hazard, as those can procure who employ money in the hazardous undertakings of trade and manufacture.

I trust that theoretic reformers have not yet attained on this subject, any decided victory over public opinion.

Mr. Bentham contends, that we ought not so much as to wish "to see the spirit of projects repressed." It may be so; but, I hope I may be permitted to wish that the first experiments of his projects may not be made within these walls.

The statute of usury is constantly interposing its warning voice between the creditor and the debtor, even in their most secret and dangerous negotiations, and teaehes a lesson of moderation to the one, and offers its protecting arm to the other. I am not willing to withdraw such a sentinel. I have been called to witness, in the course of my official life, to many victims to the weakness and the inflamed passions of men. All sudden and extreme reforms are unwise. We ought not to stretch or to amputate, in order to make our institutions fit exactly to any theory. It is better to follow the course and order of providence, and suffer our general system of laws, like our habits, to accommodate itself slowly to our necessities, and to vary only with the gradual and almost imperceptible progress of time and experience."

The conclusive reasoning of the learned judge addreses itself with peculiar force, to the understandings of all—no plausable resistance can be offered to arguments so striking and powful, coming from such a source, few can be found so bold as to encounter them. They cannot be overthrown; an authority so high, and so deserving upon a question so vitally affecting the interests and welfare of oor state will not be likely to be undervalued.

This brief review of a long line of historic events, furnishes evidence conclusive that it has been the policy of all enlightened nations from the earliest dawn of civilization, with few exceptions, to the present time, to restrain the rates of interest by force of law. Turning our eyes to history of later times, we are brought to an examination of the rise and progress of usury in our own country and state.

Indiana, as is believed, presents the first instance here, of a departure from this established policy. The ruin and disaster consequent upon that unfortunate experiment, furnish fear-

ful admonition of the consequences that must result, to any Government or state, that shall resort to a like course of Legislation. The following letter from the Hon. W. W. Wick late member of Congress from that state is so pertinent to this question presents so melancholy a picture of desolation, that your committee have taken the liberty of embodying it entire in this report.

WASHINGTON, D. C., March 7, 1849.

"SIR:—Your note of enquiry is before me. I propose leaving for home this evening, and my response must be brief.

"In Indiana the usury laws were repealed twelve or fourteen years ago, perhaps more, and were not reinstated for three or four years. The frightful results of the repeal were not immediately developed. Many a "stricken deer" retired to die in secret, too proud to make known his ruin, induced by his own imprudence and the absence of legal protection against it.—Many were sold out of house and home, ere public attention was directed to the subject; but no sooner had the effects of the repeal been developed, and become the subject of public discussion and conversation, that an irresistable public opinion called for usury laws. The first step was to fix the rate of legal interest at six per cent, and to sanction contracts for ten per cent. In two or three years the taking of more than six per cent, was prohibited.

"If I had time I would be glad to make a sketch of the desolations left in the track of the usurer, during his brief reign in 'Hoosier land.' I was judge of one of our circuits at the time, and was a shuddering witness to these desolations.

"I have rendered judgment upon contracts for the payment of fifty or twenty cents per day, or per week, for a loan of fifty or one hundred dollars, and in some instances the interest had become more than ten times the amount of the principal. It is worthy of remark that the usurer rarely brought suit for his money until the accumulating interest had swelled the debt to an amount approximating closely to the value of the debtors estate, or until notified to do so by the surety, or endorser

of the debtor. The usurer, in the meantime, counted and gloated over his daily or weekly accumulation of interest, and the debtor (poor fellow!) lived upon the hope of extrication through some miraculous intervention. I am convinced that in some in stances they had a secret faith that the creditor could not find it in his heart to demand the entire sum legally due, or relied upon private assurances from the creditor to a like effect.

"Had the legislature not interfered, and tied the hands of the spoiler, an immense amount of property would have changed hands in a few years. As it was, clerks in stores, venders of spirits by retail, &c., in many instances, became wealthy, almost without capital of their own; and by the use, at a limited interest, of the money of some friend, who knew them well and could watch over their operations, and to make them wealthy, a great number of small farmers, owning in fee land worth five to fifteen hundred dollars, were ruined. In many instances the ruin had not half done its work when the estate of the borrower was engulfed. Discouraged, shamed and indignant, he either fled to dissipation or became a man hater. I know many men of excellent natural qualities, and much inclined to be moral and gay—and who became hopelessly demoralized and misanthropical. The moral desolations created by the absence of usury laws will tell upon any community to an extent almost infinitely beyond the mere ruin of estate."

We find it in a recent preface to a small pamphlet publication "on the importance of usury laws," written by the Hon. John Whipple of Rhode Island, some twelve or fourteen years since. In that same publication, which certainly bears high testimony to the ability and research of its distinguished author, we also find a brief extract of a letter (in answer to one from the publisher,) from one of our Senators in Congress, the Hon. I. P. Walker.

In reference to the repeal of our usury law, Mr. Walker says:

"The argument in favor of the policy was, that competition in the loan of money, the rate of interest being unrestrained, would produce a great influx of capital to the State. It certainly has produced an influx of *money* but not of *capital.*

The result is (and is to be) that money has been freely taken at an interest of from 20 to 50 per cent.

The money loaned was that of non-residents. Now, taking the average of interest to be 25 per cent, it is obvious that, at the end of four years, the amount loaned in the State will again be sent out, and that, too, with an equal amount for the interest."

This is a poor way, in my opinion, to increase the real capital of a State. You will now appreciate the distinction I make above, between money and capital in this relation.

I have no doubt that the results to our State will be most disastrous."

The author, in commenting upon the present condition of things in Wisconsin, holds the following emphatic language:

"It requires no prophet to foretell that if the experiment be permitted during a period of four years, the enterprise of this State will be completely prostrated, and sold to non-residents and usurers. The only source of safety to the people of Wisconsin, is, to demand, forthwith, stringent usury laws."

Alabama has undergone a similar trial in dispensing, for a time, with the laws of usury; and such were the effects resulting from this ill-advised movement upon that young State, as actually, in the run of a very few years, to involve her in bankruptcy, and to bring her to the brink of repudiation.—The disasters of this experiment there, were so severely felt as to produce a complete financial revolution, and she could only recover from this unhappy condition by the enactment of a stringent usury law. Such unreasonable and extravagant rates of interest had been exacted, in the absence of all restraints, that her courts of chancery, in the exercise of a power incident to such tribunals, refused to give their aid to the enforcement of such contracts.

In Venezuela, one of the South American Republics, a civil revolution, of the most virulent and aggravated character, was distinctly traceable to the removal of legal restraints upon the monetary influences of that country.

Aside from these instances, and with the exception of our own State, your committee are not aware that the experiment of "*free trade in money*" has ever been attempted this side of the Atlantic.

The statutes of the territory of Wisconsin, contained a provision restraining the rate of interest to a maximum of 12 per cent. This provision of our territorial law was ingrafted upon the code of the State.

At the session of the legislature of 1849 that act was repealed and the present law established. Your committee have sought with some anxiety for the reasons prompting this movement. The territory and State had been prosperous under existing laws; and true wisdom in legislation would seem to dictate that long-established usages should be changed, only in obedience to some imperious necessity. Did any such necessity exist? Your committee are not aware of any.—Did the people demand a change? Your committee are of the opinion that not a petition to that effect was before that body, and yet, in a time of usual and uninterrupted prosperity impelled by no peculiar exigency, and without a solitary memorial asking so important a change, that body repealed a law which, in substance, had formed one of the brightest pages in *Magna Charta*, and had been handed down, with slight variation, through all the vicissitudes of commercial fluctuations to the then present time. Surely, such legislation could only have been induced by the mad phantasy of some disordered brain.

As soon as it was known among those having money to loan, that a bill to repeal the usury law had been presented and was making progress in the legislature, instances have come to the knowledge of your committee, where pending negotiations for loans had been suspended to await the passage

of the act. When this desideratum of money lenders had been accomplished, the first stride of capital was to take to itself about 25 per cent. The consciences of that fraternity were not, at first, sufficiently elastic to soar to the sublime rates of 40, 60, and 100 per cent, which were reserved as the crowning beauties of the system. A wide door for all sorts of speculation in money being thus thrown open, the temptation was too strong to be resisted. Greedy avarice, with an appetite as insatiate as that of the vulture, soon began to reek out its victims. Agencies were established for the loan of money. The wholesale dealer in the eastern cities, began to press the local merchant for payment. The local merchant in turn, began to withhold supplies from the farmer, and to enforce payment or security for existing demands. Business was depressed, agriculture was crippled, *money forsook its legitimate channels and sought the loan market*, industry was robbed of its accustomed reward, and all the industrial interests of our young and rising State were brought down in meek submission, to the feet of the money God.

Smarting beneath the past and present evils of this policy, and appalled by the threatening dangers which await them in the future, the agricultural districts have come up here by their representatives and by their petitions, and have demanded some measure of adequate relief. Numerous petitions have been presented to this body, which have been referred to your committee. The whole number of names signed to petitions upon this subject which have been referred to us, is 1775. of which, 1711 pray for the establishment of a usury law ranging from 6 to 12 per cent, and 64 of them ask for the preservation of the present law.

The argument of these remonstrants against the repeal or disturbance of our present usury law is in the following language:

"Believing that money, like other marketable commodities, should be left free from the burden of legislative enactments; and that if so left, to be governed by the fixed law which reg-

ulates the value of property; thelaw of supply and demand, it, will conduce to the best interest of all classes of our fellow cizens."

The argument of free trade in money is a specious one, and in its application to this question, it has led astray some of the best political economists of the age. Your committee are of the opinion that when properly viewed, this argument wil1 be found as false in principle as it is pernicious in practice.—The error committed, is fundamental, and consists in assuming that *money* is *property*. This is denied. Bullion, of which money is made, is property; but when it is subjected to that proces which constitutes it *coin*, it is endowed with a new attribute. It then becomes simply the adjustor of the value of property, and the means of facilitating its exchange. As well might it be contended that the yard indicated by the brass nails in the counter of a merchant, or the token furnished by the baggage man to enable the traveler to identify his trunk, is property, as that money should bear that character. The intrinsic value of an ounce of silver is, perhaps, less than that of the same amount of steel; an ounce of gold has no more positive value that the same quantity of silve. Yet, when these have received the impress of sovreignty, their relative value is as one to 16. These qualities, are the creatures of law. The law having endowed money with these attributes steps in and levies a tax upon you for the support of government, and compels you to pay the same with their identical coin. It also comes between you and your neighbor and forces you to discharge his claim by the same means. If you should find it impossible to procure money for these purposes and should attempt its manufacture to supply the deficit, the law again interposes and punishes the act as a criminal offence. Not so with property. You cannot use it to satisfy the demands of either the tax-gatherer or your creditor. You may need horses, but you are not obliged to have them; you can use oxen. You may need food for your family, or furniture for your house, and if you have not the means of purchasing

them, you may raise the one, or manufacture the other, and the act does not constitute you a felon. Place both upon the same footing, and the free trade policy may be correct. Then wheat would be a lawful tender, and the tax-gatherer could not convert your cow into money under the hammer, as a means of cancelling the tax roll, the cow itself, being the legal means of discharging such claim.

To put both on the same footing, however, would involve the necessity of changing the constitution of the U. S., which invests Congress with the power "to coin money, *regulate the vulue thereof*, and of foreign coin, and fix the standard of weights and measures."

Coin is the only article recognized as money, and its *value* is regulated by the permanent law of the land. The circumstance of its being placed in the Constitution in the same category with "*weights and measures*," is sufficiently indicative of the character it was intended to bear.

Another error is, that the interest of money is regulated by the laws of supply and demand. This position has been ably met and refuted by Hume, in his admirable essay on this subject. The whole article is so fraught with interesting argument that your committee would desire that it might be put into greater circulation, and that its reasonings might be more generally known. One extract will suffice to indicate the position assumed :

"In a state, therefore, where there is nothing but a landed interest, as there is little frugality, the borrowers must be very numerous, and the rate of interest must hold proportion to it. The difference depends *not on the quantity of money*, but on the habits and manners which prevail. By this alone, the demand for borrowing is increased or diminished."

Our own experience further illustrates the fallacy of this argument. Previous to the repeal, money, as a *general rule*, never exceeded 12 per cent, and subsequently to to that time, the prevailing rates have been at least double that amount.—Has the effect been to bring in money ? If so, has such influx

caused a depression of rates? If neither of these results have followed, then the law has failed to accomplish the objects claimed. Our own history is not singular in this respect; other countries have had a similar experience in analogous cases. Mr. Bentham, an author favoring free trade in money, explicitly admits that in Hindoostan, which is a free trade country, the lowest rates of interest are from ten to forty per cent, and that the usual rate is about twenty. China is under a similar system. and there, according to the testimony of an intelligent merchant, for many years a resident of that country, " the rate of interest is very high, varying from 12 to 20 per cent.

"Mechanics, and middling class merchants, in general pay two per cent a month. For small sums, three per cent a month is very common. Money shops, as they are called, are numerous. It is common for those who do not own shops, to send their money to them to be loaned. There are many lenders who come to Canton from other provinces and lend money in large sums. They live in a penurious manner, and are called 'blood suckers.' "

Another argument used by the advocates of "free trade in money," is this:

"I have a horse worth $100, you have $100 in money—shall I be permitted to sell my horse for $125, and you be prohibited from loaning your money at 25 per cent interest?"

We answer, certainly, and perhaps no case can be named which more clearly illustrates the fallacy of the whole doctrine,

In the first place, the relation created in the one case is entirely different from that created in the other. In the instance of the horse, the transaction is a *sale*, and the property is transferred to the purchaser, never to be returned. In the other, the transaction is a *loan*, the relation of debtor and creditor is created, and at the end of the year, the money returns to its owner, with an accumulation of $25. To make the two cases to any extent parallel, we would have to suppose the horse to be *loaned* for a year, for $25. In this case, the difference

would be, that the original sum loaned would return, without deterioration, while the *property* would come back impaired by the use. Another idea may be appropriately suggested here,—while the horse may *now* be worth $100, yet his value is liable to fluctuation. So also, in the absence of law, are the rates of interest. The two cases may present an analogy above a hundred dollars, but in no event can the money fall *below* $100, while the horse, without the loss of a single valuable quality, may fall to sixty dollars, or less, and this purely by the operation of the laws of supply and demand.

It is urged that the effort to restore to our statute book, a usury law, is one of the "new-fangled notions of the day," and the argument is used most frequently by those cherishing a holy horror for the reformatory movements of the age. It is not the least singular circumstance connected with this subject, that two years ago, the same argument was used against repealing the usury law, that is now used against its restoration. Then the *repealer* was the radical, and the friend of the usury law was regarded as a hunker, par excellence. When it is reflected that Wisconsin stands alone upon this question, and that her present law is an innovation upon the settled policy of all ages and nations, it will not, we think, be contended very strenuously that the doctrine of *stare decisis* should be urged against the enactment of a usury law.

The time has come, when legislatures, in view of frequent instances of 100 per cent per annum, in agricultural districts. may well begin to inquire whether the aid of courts should be summoned to uphold any higher claim of the usurer on the producer, than his bare capital loaned, and throw him, as to interest, or usury, upon the ability of his borrower to pay from and out of both capital and labor, and thus compel them alike to share the vicissitudes of the elements and seasons.

A court of equity has as a standing maxim, "he that asks equity must do equity." It is its prerogative to protect the weak against the strong. It frowns upon unconscionable contracts and refuses to enforce them. According to the esti-

mates of the best informed on this subject, the agricultural districts of the State are now incumbered to the extent of at least one half of the assessed value, by mortgages, drawing not less than an average rate of 20 per cent, In few instances would it fall below 12 per cent, and in very many instances it rises to 100. These mortgages have from 3 to 5 years to run, and involve, as a general rule, the homestead of the farmer.—Any one acquainted with but the first rudiments of political science, knows that these obligations can never be discharged, except through the intervention of courts of chancery. And shall they be asked to decree an impossibility? Shall they compel the filling of a hogshead from the contents of a cruet?

Your committee would not have the assembly forgetful that their action should be for the masses and not for individuals; for general results flowing from general laws, and not for isolated cases, No proposition is more true than that community can pay no greater rate of interest for the capital invested in their pursuits, than the nett profits of their labor.—Admit this truth, and under a policy which has thrown and is throwing, the capital of the country into the loan market, thereby creating a necessity for doing the business of the country on borrowed capital; and even a prevailing rate of 6 per cent, would bring Wisconsin to inevitable ruin, unless relieved by stay laws or insolvent acts. There are, doubtless, instances where enormous rates of interest have been paid, and both the borrower and lender have been profited. Yet in all such cases *somebody* suffers. An even if there are instances of this kind "fair all around," yet they are isolations, and as well might they refer us to some fortanate draw at a lottery or a lucky hit at faro, as to such cases, to illustrate the operations of a general rule.

Massachusetts, with all her industrial arrangements the most perfect and best matured, as shown by statistics approximating accuracy, yields a nett profit on her labor of not exceeding 12 per cent. Judged by this rule, Wisconsin, in the opinion of your committee, cannot safely tolerate a prevailing

rate of 6 per cent, and even three per cent would ruin her unless her policy be so changed as to force capital back from the loan market to the legitimate channels of trade.

It is contended that if a usury law be now established, it will cause a pressure that will work the speedy ruin of such as have become the victims of the "free trade policy." How this is to be done, has not been precisely revealed. We are of the opinion, however, that as the repeal did not bring a dime into the country, so its restoration will not take any out. That some were induced to bring money into the state, to be thrown into the loan market, is doubtless, true. But that others were induced to withdraw from the money market is no less susceptible of demonstration. This exchange, too was clearly to our detriment. The financier who lent his money at former rates, did so for the interest. His successor, in view of the utter impossibility of paying present rates, is playing a desperate game to secure to himself the whole mortgaged estate.

In this connection we will consider another argument which is often urged. It is, that if a usury law is passed, it will constantly be evaded, and will therefore be a dead letter upon the statute book. This argument contradicts the former. If it is a dead letter, it certainly can cause no pressure, and distress cannot ensue. But this argument is like the "free trade in money" policy itself—plausible in theory, but contradicted by every man's practical experience. Admitting the truth of the position, for argument sake, still it would be preferable to the present system. The usual method of evading the operations of the usury law, is to reckon the interest for the period loaned, iuto the principal, put the whole into a note drawing the legal rate of interest, executing a mortgage as collateral security, and then selling the whole to the usurer as though the sale was an entirely independent transaction.—The demand matures and the money falls due. From this period the borrower finds his advantage in a usury law. The obligation is rarely paid at maturity, and during the period of

forbearance, and the progress of foreclosure, the debt bears the legal rate (say 7 per cent,) in the one case, and the extortionate rate in the other.

It is said that other causes than those growing out of the unrestrained license of capital to wring all it can from the pocket of industry, have been the agents in producing the embarrassment so universally felt in the agricultural districts. Among these are named short crops, emigration to California, &c. In the opinion of your committee, that which is claimed as a *cause* is but a *consequence*. Doubtless, if a community were in circumstances of entire independence, and could claim immunity from short crops, debtor's duns, the vicissitudes of fortune and of the seasons, and the numerous other evils which "flesh is heir to," it would matter little what laws were passed, or, indeed, whether there were laws at all. But it is to remedy these evils, and to protect the citizen against their influences, that the hand of legislation is interposed.

These circumstances, instead of being the *cause* of present embarrassments, have but made those suffering from them, the *victims* of the prevailing policy. The farming community have been the first to suffer; the mining and lumbering interests may next feel its influences, and even though the agricultural regions may recover to some extent, yet they will be continually exposed, and may, at any time after, become its victims.

Another position assumed, is that usury laws are an impeachment of man's ability for self government. If the objection has any weight, it applies as well to exemption laws, to municipal restraints upon market-men and truck-men, in cities and villages, and in many other instances of salutary restraint, which every well regulated community finds it necesary to impose, as to usury laws. But whatever force will be given to the argument, none will deny that every man, whatever may be his capacity for self-government; is subject to the prevailing policy of the state. If a man were in prison or in duress, he would assent to terms proffering him relief, that

he would repel with scorn if left to the exercise of his own free will. Money is usually loaned in this state through the agency of some person, who also acts as a collecting agent. His pigeon holes are filled with demands against his neighbors, with whose pecuniary circumstances he has made himself accurately acquainted. He calls the debtor into his office and exhibits the demand; if the debtors asks for time, or suggests his inability to pay by reason of short crops or other contingencies, the agent politely reads to him the letter of instruction accompanying the demand, in which he is directed to enforce collection by suit. What shall the poor man do? The agent can "*relieve*" him. The debtor's homestead is unincumbered, the agent has money to loan. Under the circumstances, and "seeing it s him," he will let him have enough to meet the demand, for *only* 25 per cent, and take security upon the homestead. He would not advise him to do it. He does not believe he can afford it; but he must be his own judge. He advises him to act independently. He is a free moral agent. Interest is enormously high, but he offers this to him below the prevailing rates. He has often lent at much higher rates, but seeing it is a "hard case" and the security ample, he will in this instance, reduce it to the lowest prevailing rates. If, however, he does not see fiit to comply, "here are his instructions." They are imperative, and leave him no discretion.

In this case, does the man's judgement or his poverty consent? And to what extent does the idea of "man's capability for self-government" apply?

But admitting all the advantages claimed as resulting from the removal of the restraints upon money, and what policy would be introduced? It is said that capitalists would be attracted to the state, and that competition would bring down the rate of interest. But for what purpose would capital come? Would it be introduced here for the purchase of our products or our lands? No, this result is not claimed. A the benefit contended for on behalf of this policy, is that it

will supply the loan market at cheaper rates. This general policy, your committee feel that they cannot too strongly discourage.

The population of Wisconsin is a producing population:—They deal in the products of the soil, of the mines and of the forests. The fancy stock market is a sealed book to them.—What they demand, and what their interests require, is that a policy shall be established by which they may sell their products, and that the circulating medium shall be confined to the legitimate purposes of its creation.

The contest is one of capital against labor. An elucidation of this unequal struggle is strikingly presented in a little work entitled "Encyclopedia Americana," from which we take the following extract :

CAPITAL *vs.* LABOR.

"One penny (sterling) put out at 5 per cent compound interest, at the birth of Christ, would, in 1810 have amounted to a sum exceeding in value 357,000,000 of solid globes of standard gold, each in magnitude as large as this earth."

The astounding cumulative power of money is rarely considered. At present rates (say 20 per cent) of compound interest, one dollar in sixty-four years, (the common age of man) will amount to $116.839, a sum which would take 5 men, laboring at one dollar per day, seventy-five years to earn.

In view of these astounding results, shall legislation be longer asked to forbear its interference in this unhallowed warfare ?

The moral aspect of this question is not without its importance. Our citizens are rapidly becoming money speculators. The wild spirit of usury is infusing itself into all branches of business—into all conditions of community. It is diseasing the whole body politic ; corrupting the morals, debasing the habits, and poisoning the very fountains of virtue in our midst. Every town and village has its miniature financier, who, having scraped together his fifty or his hundred dollars, drops his

axe or his spade, to hang around the bar-rooms and public haunts to lend out his money in small sums on short loans, at 10 and 20 per cent a month. Such habits and pursuits must degrade all the faculties, strimulate the passions and the propensities, and transform the whole man into a grovelling, starving, shrivelled miser. And who is the miser? To what species does he belong whose money is his God? With a soul seared to all sympathy, an appetite that gloats over his ill-gotten gains, a cringing spirit, stamped with the image of man, without his heart, a starved, emaciated skeleton, whose love of gain has denied him a nourishing meal, or a bed of straw on which to stretch his limbs—he stalks among us to be despised, the mocking of his species, a disgrace to human nature, and a curse to the world.

Every where around us we behold the paralyzing effects of the present policy. It is arousing the people to a knowledge of their true condition. They see danger staring them in the face. Depression is felt in every department of industry.—Our state is yet in its infancy. The products of our soil are our reliable staples. Rob the farmer of the soil he cultivates and you rob him of his all. Houseless and homeless, he may look back in despair on the ruins of his fall. Go into the fine farming regions of the state—to the fair fields where the hand of industry is felt—to those little rural communities where the comforts of home once cheered the family fireside, and enough of the reality may be seen and known and felt to redeem this picture from the charge of being a mere fancy sketch. Pay day will come; the inexorable creditor will never relinquish his hold so long as a single dollar remains unpaid. Yes, pay day will come, as sure as destiny it must come. Though a temporary respite may be bought, the day of the debtor's doom is inevitable. The unflinching usurer has his victim within his grasp. Writhe and agonize as he may, as well might he think of escaping the venom of the viper when he has felt his fang, as to look for relief from such a source. No, misfortune has few sympathizing companions.

The farmer's fireside must be invaded; his homestead is in jeopardy; the tread of the officer of the law is heard upon his threshold; a voice as potential as the decrees of fate is sounding in his ear, and the hammer of the sheriff closes the scene. These are realities too fearfully apprehended by your committee to allow them to repress the voice of admonition, and it is in the hope of that relief which a judicious usury law alone can bring, that your committee would recommend the passage of the bill on this subject recently reported from the senate to this body.

All of which is respectfully submitted.

E. ESTABROOKS,
JOHN D. MURHHY,
CHAS. JENKINS.

MINORITY REPORT

OF THE

JUDICIARY COMMITTEE,

TO WHOM WAS REFERRED A

Bill Relating to the Interest of Money.

DOCUMENT "J."

The undersigned, a minority of the committee on the judiciary, to whom was referred bill no. 2, *a.*, relating to the interest of money, together with various petitions and remonstrances on the subject, ask to submit the following

REPORT:

Were the subject which has been referred to the committee, one of ordinary importance, not vitally affecting the best interests of our state, we should not at this day attempt any expression of our views, but would content ourselves by leaving the question involved, to the decision of the Assembly on the able report of the Majority. We do not, however, concur with the majority in the reasoning contained in their report, much less inthe conclusions drawn from it, and the recommendations made.

Interest is the compensation which one person pays to another for the profits which he is enabled to make by the use of his moeey. The price which the borrower should pay the lender for his money, depends mainly upon the profit which the borrower can derive from its use. Where much can be made by the use of money, then interest will be high—if little can be made, then it will be low. Other things enter into the price of money,—for instance, if risk be great, interest will rise proportionately—if the supply of money be abundant, it will fall. But the average profit of capital in any country, constitutes the chief element in the price that can reasonably and profitably be paid for the use of money.

In other words, the use of money is worth just what that money will make by being employed in any business or investment. If one thousand dollars employed in any trade or business, will produce one hundred dollars after paying all

costs, expended in using it for such production, it is plainly worth ten per cent. If it will produce five hundred dollars, it is as clearly worth fifty per cent. The reason, then, why interest is allowed at all, becomes at once apparent.

He who labors to produce any thing, is surely entitled to the avails of the labor necessary to that production. The acquirements of labor constitute capital, and that capital is possessed of re-productive power. If, then, he who has by any means acquired capital, or money, sees fit to part with it for a time, and to give to another the privilege of using that capital, he ought to receive the value of its use, or the profits that accrue after paying him who has used it, proper compensation for his labor and skill in using it. If a man can realize twenty per centum for the use of his money when invested in manufacturing, he will, of course invest it for that purpose, in preference to loaning it at an interest less profitable. And so of any other object to which his money may be applied—money will not be found in the market for loaning, unless the market interest is equal to the profits offered by actual investment.—The reason for the paying of interest, is the same as that for paying rent for land. The tenant pays his landlord the price which he can afford after obtaining compensation for his own toil. The borrower pays the lender the product of capital after receiving the reward of his own labor and agency in the use of that capital.

From these plain propositions which might be elucidated at considerable length, it is naturally deduced that the value or interest of money must be as variable at different times as the rewards of labor. In a settled state of society, these variations will not be very greaat, but in all countries they depend more or less upon natural causes, such as the character of the seasons, the productiveness of industry, the demand for exchanges, &c. And it might not be improper here to remark, that in new countries these changes are most rapid, and interest is always high. The causes are apparent, and may be assigned briefly as consisting in the cheapness of land, the ex-

cess of production owing to the natural fertility of the soil, the scarcity of all articles of common use, and the necessity which exists for having them, and the almost total lack of money or capital of any kind among the settlers.

Any law which has a tendency to raise the price of money above the clear average profits of labor, produces evil results to society, by depreciating the income of industry, and over-rewarding capital. For the same reason, a law which fixes interest below the profits of labor, tends to the too great encouragement of labor and the discouragement of capital. The effect of this is to sever the natural and intimate relations of labor and capital. The greatest good of society is attained when these combine together, and when the rewards of each are the most nearly equal. Labor makes but poor progress without the aid of money, and yet money will not be trusted to the hand of toil, unless the profits are equal to its use in any other manner. On the other hand, money cannot do the good it is designed to accomplish, unless it is combined with the industry of the country.

Whenever, then, the legislature undertakes to fix a price for the use of money, it is plain that it should be done in accordance with the principles here laid down ; in other words, that it should be established at that rate which most nearly corresponds to the profits of invested capital. But can this be done ? Is there any established rule to guide legislative judgement in this respect ? None, that we can discern. And least of all, can this be done in new countries, where of necessity, the fluctuations are much greater than in older communities, as the least reflection at once teaches us. Legislative interference on this question is always unwise. It is, moreover, unnecessary, because the natural laws of trade will regulate the moneyed relations of every community, and its connection and commerce with other communities. No fixed, arbitrary rule can be just or applicable to the same people for any considerable length of time, nor is the law of one society a correct guide for the regulation of another.

Another cause that produces variation in the price of money, is, the ratio of supply and demand, furnishing an additional reason against any attempt to fix a standard rate of interest.

If the supply of money be great, its use will be cheap. If it be scarce, the price paid for its use will be high. If many persons need money, competition will raise its value; if few require it, it falls.

This position is denied by the majority report, and to sustain that denial, a quotation is made from what is termed the "admirable essay" of a Mr. Hand.

The undersigned know not who this author is, but they rely upon the authority of every political economist of any note, for the last century, for proof of their position, so far as books are concerned, and much more confidently still, upon the common sense of mankind to sustain their views. If there are twenty men who desire to borrow and but one who wishes to lend, it is clear that competition will at once raise the price of capital. If there are twenty lenders and but one anxious to borrow, just as clearly will these twenty under bid each other to the lowest rate of interest.

But will the fixing of the rate of interest by law prevent the natural fluctuations in the price of money? In our opinion, it will not. On the contrary, the tendency is to increase that fluctuation. When the operations of trade in money are left free, as in other kinds of property, if a sudden rise in price takes place, at any one point, money naturally flows into that point, until it is brought down to the level of general profit.

But if the rate of interest be fixed below the price which is thus created by the natural laws of trade, foreign communities will not contribute of this surplus to bring down the rates by replenishing the sum on hand. And why? Plainly because they are prohibited from loaning without a violation of law, and the consequences of detection and forfeiture are too severe to incur the risk without ample compensation.

Thus the money market is controlled by a few, and those of the most unscrupulous character, and kept subject to the artificial causes which are ever at the command, and in the constant use of shavers and jobbers.

We have endeavored to lay down some of the obvious reasons why interest or the price of money, differs and must differ so greatly at different times and in different places. The inference is plain, that no human power can establish a uniform rate of interest. It must change with the changing causes named, and be higher or lower in proportion as these causes operate more or less extensively either singly or in combination. When the profit of capital is great, interest will be high—when low, interest will be low. When risk is great, interest rises,—when risk is small, it falls, and when these two causes are combined, as great risks and great profits together, interest will advance to its highest price.

The same may be said of various other causes which act at different times upon the price of money, all producing their legitimate, natural results. To illustrate further, however, is deemed unnecessary, for it is all so plain to ordinary sense that it almost amounts to an imputation of a gross lack of information to suppose any one ignorant of these principles or their effects.

The legislature does not undertake to fix the price of any other property, nor of its use. And yet it could do so with just as good a reason in any other case as in that of money.

But before we enlarge upon this head, it may be well to take notice of the argument of the majority, on the tenth page of their report, for it strikes at the foundation of our position, if it be true. Say they, "The error (of those who claim that money should be left free like other commodities) committed is fundamental, and consists in assuming that *money* is *property*. This is denied. Bullion, of which money is made, is property; but when it is subjected to that process which constitutes *coin*, it is endowed with a new attribute." Again, in the same connection—"The intrinsic value of an ounce of sil-

ver is less, perhaps, than that of the same amount of steel.—An ounce of gold has no more positive value than the same quantity of silver, yet when these have received the impress of sovereignty, their relative value is as one to sixteen. These qualities are the creatures of law." Now, what is meant by these phrases—that money is not property, but that Bullion is—that coin possesses attributes that the metal in bars does not. That silver is not worth as much as steel, and gold no more than silver, we do not know; nor can we easily divine the true import of the words, "intrinsic value," "positive value," "impress of sovereignty," and "creatures of the law," as by them used. But let us analyse these assertions, axioms, perhaps some will term them. Let us test them by the laws of political economy and the dictates of common sense.

The object to which any person directs his labor is determined by his own taste or natural inclination. Each man directs his attention to a single kind of production. But human wants are various, and no man can supply all his desires by the creation of a single product. Hence arises the necessity of exchange between the members of society, for every one wants a large number of the products of other men's labor. For a community to make all its necessary exchanges in kind, would be very difficult; besides, it would cause a great expenditure of time, and consequent cost, in effecting those exchanges. Thus men in even the rudest stages of society, naturally seek some medium of exchange—some instrument to effect this exchange of property in the cheapest and easiest manner.

Money is the instrument by which society accomplishes the exchange of the products of labor.

Whatever performs this office of promoting exchange, is money. In the history of the world various articles have been applied to this use. But in all ages, and among nearly all nations; metals have been universally used for this purpose. The reason of this is apparent and natural.

Some of the essential requisites of any circulating medium are, that it be on object of universal desire, or something that all people seek for at all times—that it be as little liable to fluctuation from any cause as possible—that it be capable of minute divisions without depreciation—that it be easily identified—and most important of all, that the cost of producing it be subject to the least variation, and that it contain in a small compass a large amount of value. It might be here asked conclusively how can that be made to represent value which in itself possesses no value; but we proceed: By *value* we mean that quality which attaches to any object of desire in consequence of the labor which has been bestowed in its production. And again, it is exchangeable value of which we speak, for intrinsic value has, and can have nothing to do with any reasoning pertinent to the subject in consideration. The incorrect use of the word "intrinsic," in the majority report is now apparent.

Nothing, perhaps, possesses so great intrinsic value as air and water, and yet who would assign to them exchangeable value? Iron has greater *intrinsic* value than gold or silver or diamonds, and yet who would contend for an instant that it possessed any thing like the same value in exchange as either of those substances. Is it enquired why gold and silver possess this great exchangeable value and not so great intrinsic value? The answer is at once apparent and ready—the labor necessary to procure gold and silver constitutes its value.—At all times, it has cost much greater labor to obtain these substances than to procure iron or copper. No man will exchange that which has cost him a month's labor, for that which has cost another but a day's labor.

Labor and skill are the elements of value—they make up what is usually termed cost. If nature had supplied gold in the same abundance that we find iron, it would be comparatively valueless.

The only cause then, why any substance possesses value is because labor has been required in its production. It is a

well known fact that mining for the precious metals produces as small profits as any other branch of industry—and by some of the best judges it is estimated at less. If the cotton manufacturer of Lowell, exchanges a bolt of calico, with the miner of Mexico, for his gold, he gives value for value, or, in other words, parts with the avails of his labor for that which has cost the miner an equal amount of his labor. This is the reason of the exchange : and it would be frivolous to attempt to assign any other cause. Now, what takes place originally between the miner and any individual, is constantly taking place between all the members of society—that is, exchanging of value for value, labor for labor, and it can make no difference, how remote from the original producer of the metals, constituting our circulating medium, this exchange takes place—it is all based upon the fact that their original production cost a certain amount of labor, and that that labor is constantly represented by the thing produced.

This view derives additional confirmation from the fact, that almost all nations in their early stages, have used these metals in their native state, as a means of effecting and facilitating exchange.

Time was when gold and silver were used by *weight* with as great frequency as now by *tale*, and the only difference between these methods consists in the convenience of one over the other. The Bible furnishes numerous instances of the use of these metals by weight, in Patriarchal times. The Persians, Greeks, Egyptians and Hebrews, had no *coin* until long after their national existence had been established. At this day, in one of our own states, gold, in its native form is readily and constantly, and almost solely used for all the purposes of money, and yet, say the majority, gold-money is not property. What would the Californian, who has braved dangers, endured privation, suffered in health, and sacrificed every comfort for the acquirement of his treasure, say to this newly discovered and truly modern idea, that money is not property ?

But the majority say that *Bullion* is property. And so say we, *because it is the product of industry*. And now can any one tell us why that which is property in its native state, is not property when changed in form and stamped with the sanction of the government? *Coin* is not *property* but *Bullion*, of which coin is made, is, or, in other words, that which is valuable from the amount of labor applied to its production, becomes suddenly worthless from a change in its form. The absurdity of the proposition proves its fallacy. In all other forms that property assumes, each additional change *adds* to its value. Thus, if government charges any thing for the operation of coining, one would naturally suppose that it would to that extent, add to the true value of coin. In England seignorage is not charged. The United States charges the actual cost of coinage, and so one would suppose, proportionately increases the value of coin over bullion.

And what is the answer to the reasoning above presented? Why, that the "impress of sovereignty" creates the value of money—and that its quality is the "creature of law," conferring upon it "new attributes." And to give effect to these unmeaning phrases, we have cited to us that clause of the constitution, which says that "Congress shall have power to coin money, regulate the value thereof, and of foreign coin, and to fix the standard of weights and measures." And why has Congress the power to coin money? Because the government should have the supreme right to declare some convenient article of *ascertained value* to be a *legal tender* for the discharge of the obligations of one man to his fellow, in order to promote commercial intercourse and trade. Because it enhances the public good, that the same authority should *certify* to community that the article so declared is pure in quality, indicative of its own value in its various divisions, and in order that it shall possess the most convenient form of circulation, and this is all that is designed by *coining*, and all that can be accomplished.

Again, why "regulate the value thereof and of foreign coin?" Because the concentrated wisdom of the government is best capable of judging of and ascertaining the value, the cost of that substance which is to constitute its circulating medium.—It does not, it cannot assign value where none exists—it only regulates it—that is, it declares how the labor that has been expended on one article of production shall be represented by the labor which has been, in another branch of industry, devoted to a different substance. And because it has the only proper right to declare the comparative value of the coin of other nations to our own.

It is, indeed, strange that so plain a provision of our constitution should have been strained from its simple meaning to such a purpose as that to which the majority have applied it.

The interference of government is legitimately the same in regard to money that it is in regard to "weights and measures." It says that so much of silver or gold shall be a dollar, and that a given quantity of wheat shall be a bushel, and a given quantity of cloth a yard. Would any one contend that because the bushel of wheat is always the same in quantity, therefore it represents the same value. As well might it be, as to say that because a dollar consists of one hundred cents, therefore it eternally has the same value.

The value of money as constantly changes as that of any other commodity—political economists say it is the most changeable of all products, because it partakes of the changes of all other articles, it being their representative.

The majority say that the value of money always remains the same, that one hundred dollars can never be less, or fall below one hundred dollars &c. They furnish an example to illustrate their position, and say that when a man loans one hundred dollars for a year at twenty-five per cent, he gets his one hundred dollars back again with its use, and that the thing—the money returned, possesses the same value as when it

was parted with, and that it is impossible it should have depreciated. To illustrate further they put the case of a man who loans a horse for a year for twenty-five dollars, and say that the horse, unlike money, may have depreciated. In answer, suppose that A. loans to B. one hundred dollars at twenty-five per cent, to buy a horse with. B. purchases the horse, and at the end of the year he repays A. his principal and interest. Now suppose A. desires a horse, and in the mean time horses have doubled in value. We ask if the money of A. for the purpose that he desires it, is worth as much as when he lent it? Has not A's one hundred dollars fallen one half in value? When it is said that money is always the same in value, we understand it is meant that it will purchase as much of the necessaries of life, or answer as many human desires at one time as another.

It means this or nothing. Every man's sense refutes such reasoning.

The truth is, money is cheap or dear like every other product of labor. It requires in every community a given amount of money to effect its exchanges—for the same reason that it requires a given number of power looms to produce cloth for the same community.

If, by any cause, the amount of specie should be doubled in any country, or the amount of products to be exchanged should be diminished one half—the value of money would fall in the same proportion. Money would be cheap, and other products would be dear—that is, it would require in any given case a much larger amount of money to obtain the same quantity of any other product.

On the other hand, if the quantity of specie should be greatly diminished, or the amount of exchangeable products should be greatly increased, then the value of money would rise, and the value of other articles would fall—or in other words, a much less amount of money would procure the same number of other articles as formerly.

Money, then, is subject to the same laws as every other article that industry produces. The true criterion of value of any substance, depends always upon the number and nature of desires it can gratify, and this last applies as well to money as any other article. The value of money varies from the very same causes as any thing else, and as readily yields to every influence that operates upon trade and commerce.

To say, then, that a dollar is always a dollar, amounts to just the same that it does to say that a bushel of wheat is always a bushel, or a yard of cloth is always a yard. A bushel of wheat will always make the same amount of bread, and a yard of cloth the same garment in size, but it would be idle to say that you can always part with them in exchange, or *sell* them for the same quantity of other products. So with the dollar, it always contains the same quantity of silver, but the number of other products it will purchase in exchange, changes almost as often as the sun rises.

Money possesses no mysterious power over other products. One would think, to hear the advocates of usury laws discourse, that government had imparted to gold and silver some magic influence over the laws of trade that required the interposing force of government to stay their witchery. They are just what He who formed them designed they should be, and no process beyond that of simple production can change their value, or lend one additional charm to their possession. The Earth is full of objects of human desires, and as these are attained, they minister to our comfort and happiness. Wealth is defined to be any object, that has the power to gratify human desire, which is capable of being appropriated. A large number of these objects constitutes riches, a few of them poverty. Gold and silver possess the same and no greater power than wealth in every form possesses ; they contribute to physical, intellectual and social enjoyment, and are therefore valuable.

Having thus attempted to set forth some general principles of political economy, and in connection with them to answer

some of the peculiar doctrines and errors of the majority, we shall now proceed to give some of the leading objections to the enactment of usury laws.

1. *Usury laws are a direct violation of the private rights of individuals.* Men are presumed to possess a reasonable share of business capacity. When they meet to bargain or contract, each understands his own interest, and it is presumed will act regardful of it.

This being the case, it is only necessary to answer the question—who is best capable of judging of what is a good bargain, the man who makes it, or the legislature, for him? It is a part of every man's natural liberty, to make such contracts for himself as he pleases. Industry and capital should be permitted to come into free competition, and each man should be allowed to pursue his interests in that way he deems proper, observing therein the rules of justice.

That "government is the best which governs the least," and if the Legislature is to act as the guardian of men in one species of business, to protect them against the consequences of folly and extravagance, why not carry out the principle, and establish the rules which shall govern them in all the property relations of life? If simplicity and experience are liable to be imposed upon in one kind of business, they will be in every other; and upon the principle claimed—the enactment of a usury law—accomplishes but a small part of the whole duty of legislators as guardians of society.

But it is said the borrower and lender do not meet on equal terms. Not always, it is true, but as often as the buyer and seller, the landlord and tenant, the capitalist and the laborer do, in any transaction between them. If horses are scarce, he who has them to sell can take advantage of the necessity of him who must buy, and so of every other article of necessity. So he who has good credit can buy goods or borrow money on easier terms than he whose credit is bad or doubtful. Prudence and discretion stand on the same terms in borrowing money, that they do in obtaining any thing else, and ignorance

prodigality and speculation fare no worse when dealing with the broker, than when trading with the merchant or mechanic. Laws are made for all, and if the inexperienced man in the absence of usury laws, sometimes pays a ruinous rate for money, so on the other hand, the prudent and honest business man, under the existence of those laws is as often compelled to pay the same and a still more exorbitant price to obtain relief. Upon principle, there is the same reason for prohibiting loaning below a fixed rate as there is above that rate; for if it is neeessary to protect the folly of the borrower, so we should shield the simplicity of the lender. The conclusion is that legislative interference with the rate of interest is unnecessary and tyrannical, unless it is true that the large majority of men are incapable of contracting for themselves and guarding their own interests.

II. *The tendency of usury laws is to raise the rate of interest.* This will always prove true where these laws exist for any considerable length of time. The reason is plain. Interest is calculated mainly upon risk, other things being equal. The risk of loss, by the setting up of the usurious nature of the loan on the part of the borrower, adds to the rate of interest charged. And this risk is increased proportionately according to the amount forfeited by the lender, whether it be partial or total, and amounts to the highest rate, when, as in the case of the bill recommended by the majority, it reaches to the principal and all. Usury laws create a new risk, an additional element in the rate of interest.

Again, the fixing of any rate of interest tends to drive money from a country, and to send it abroad to places where the use is free and the price higher. And those who feel it a duty to obey the laws, will at once withdraw their capital from the loan market and invest it where it will demand the best return, and not be subject to legal forfeiture. When interest becomes high, and much can be made by the use of it, the industrious and enterprising poor man is shut out from the use of money, for the law prevents him from giving the value of its use. As

a consequence, the rich alone can make use of their means for the purposes of the gains offered in the market, and the poor man must sit contented with the meager comforts of his condition. Thus the rich grow richer and the poor poorer.

III. *Usury laws cannot be enforced.* The necessities of men will always compel them to obtain money at some price, and that price increased by the extra hazard, will have to be paid by the borrower. The enactments of statutes that cannot and will not be scrupulously observed, detracts from the respect that should ever be felt towards the law. It is hardly possible to draft a law that will not be evaded by financial ingenuity, and the promptings of interest.

There are always those in society who, from unfortunate circumstances, are forced to have money at almost any price. If it cannot be obtained, ruin stares the needy man in the face. Relief at the highest purchase is a blessing, for he may save a part of his property if a short space is left, but if he cannot obtain the means, immediate and total ruin awaits him. Were it not for legislative restriction, such an one would find those who would readily furnish the money on fair m rket terms, but as it is, no one will run the extreme risk that law has created. The lender cannot brave every hazard in his loan, and the consequence is that the very man whom it is attempted to benefit most by the law is the most injured by it.

It would be sufficient to show that restraining laws are not obeyed, to refer to the prices of money in any large city of the world where they exist. Smith, in his wealth of nations, compares the market price of money with the legal rate, and constantly alludes in his reasoning in various places, to the existence of the difference between the two. The quotations of the money market in every commercial mart, show the constant and daily changes in the price of money on loan, varied as it is by every natural cause despite the acts of legislatures. And why all this, if usury laws are competent to the accomplishment of their intention ?

They do not effect the object designed—that of keeping down the rate of interest to a given standard, it is impossible that they should. The only effect they do really and in truth produce, is to diminish the amount held on loan ; increasing, as a result, the difficulties of the borrower, promoting monopoly among the few, who in defiance of law, maintain their place, and offering an inducement to those few to violate their provisions and practice extortion.

IV. Usury laws are inconsistent, their effect being the reverse of their avowed design. This is demonstrated in the objections above urged ; in every particular they result in the opposite of that for which they were enacted. We will not enlarge further on this head, but proceed to note a marked inconsistency that is found in the bill recommended by the majority—one, however, we believe, that is found in all laws of the same kind every where.

The bill excepts loans made on the security of vessels commonly called bottomry, and those made on freight, termed respondentia. In these instances no limit is assigned, but the interest is left to be contracted for between the parties according to the risk. Now, where is the reason for not assailing this feature of the maritime law ?

We apprehend that none can be shown. Why say that money may be loaned at any rate in one branch of business and restrict it in another ? We supposed that laws were based in reason, in principle, and hence the utility of their enactment and the inducement to obedience.

Is there no fear of extortion, no cry of exaction in maritime business ? This exception in case of contracts of this kind is one of long standing and universal existence. The principle of free contract and competition has worked out its own fruits, and testifies to its own correctness in principle and expediency.

The same results would follow in every other branch of business, were the principle carried out in all contracts, just as certainly as effect follows cause. It is useless, then to ask

for an example of the workings of "free trade in money" as it is termed, for here we have it, and well worthy of being followed it is.

All laws are alike in their nature, being based upon risk, and whether this risk be upon sea or land, subject to the caprice of the elements, or protected from uncertainty, the principle is the same. If the principle of restriction be right in any case, it is universally so, and no exceptions should be made in the law. It should not be applied in moneyed transactions alone, but it should be extended to every other contract—to purchase and sale, to leasing and renting, to letting and hireing, and every species of contract known to human law. The exception made, is founded in no just reason, it is invidious in its distinctions and partial in its operations.

In closing our observations upon the last head, we naturally turn to the historical precedents so fully cited in the majority report, and particularly in the learned opinion of Chancellor Kent from 16 J. R. The quotation adopted goes to illustrate the fact that the different nations of ancient and modern times have at various stages of their history, enacted usury laws. The deduction is, we suppose, that this nearly universal law is an evidence that it has deen adopted from necessity and to protect the people against the evils of free trade in money.

In answer to this, we say that these laws have not been of universal adoption by all nations, nor have they been of constant operation among the same people.

All nations, ancient and modern, have at different ages repealed their usury laws, and we have yet to learn that they did not prosper as well in the absence of such laws as at other periods. It is also true that during the existence of these laws, they never controlled the price of money, but we hear constantly of the market rate of money as contradistinguished to the legal rate.

In England, various rates have been adopted at various ages, to meet the changing character of the times, but of later

years no changes have taken place, and for causes well understood—money has for many years been below the legal rate in the market.

But history would prove any thing to be just. The same law that declared certain loans usury at Rome, gave up the body of insolvent debtors to the creditors to be hewn in pieces, and allowed the father to sell his child into bondage.—History would decide—yes, and the philosophy too, of many ages and nations—that the taking of any interest is unrighteous, and that it should be punished as felony, and we think, if we were to be governed by length of time and the influence of great names and example, that stronger evidence would be found in history, against the taking of interest at all, than in favor of any principle of limitation.

History would prove the utility of sumptuary laws, and we cannot fail here to remark, that the first English Parliament that dared to invade the monkish statutes of earlier times, doing away with the penal enactments of foreign reigns, and establishing the restrictive right to loan money, also fixed the price of all articles of food and household consumption. In this the English King and Parliament were consistent, carrying out the principle to all its bearings, and making its applications general.

Of all kinds of proof in morals, religion or politlcal science, that which is taken from history is the very worst and most deceptive. Much learning may be shown in such an illustration, as in the opinion of the distinguished chancellor, but it is quite questionable if much *reason* be therein given. If long continued example, be the only proof required to establish a doctrine, then we have but to open the records of the past, and we can sustain any dogma that we choose to put forward.

We do not purpose to introduce any history to uphold the doctrine herein claimed to be correct; only to state one fact, that every page of the past history of the usury laws shows that money always has commanded more or less than the established rate, precisely according to the natural laws of trade

and commerce, and that those laws have accomplished no good unless it consisted in restricting the freedom of moneyed transactions.

But the experience of Indiana is cited to us, and the letter of Judge Wick is on every man's tongue, as "confirmation strong as proof from Holy Writ," that the repeal of usury laws will work immediate and irredeemable ruin to any society. Indiana repealed her usury laws in '35 or '36, and their repeal was followed by that extraordinary state of things which immediately succeeded the wild speculations of that time. As a consequence of the mad spirit of gain, and that insane rage for wealth, which was stimulated to its highest pitch by the abundant crops and large moneyed circulation of those years, thousands were ruined in that state. But it is said the repeal of the usury law did all this. And we ask, what ruined the thousands in the twenty-five other states at the same time, and turned them houseless and homeless and penniless upon the world, with no reflection but to mourn over the consequences of their folly? Was it the repeal of usury laws? It is thought not, for in all these other states, they had what are termed *stringent* usury laws. The repeal of these laws had about as much to do with the condition of the people of Indiana as did the edicts of the Sultan of Turkey.

Indiana, like every other state at the time alluded to by Judge Wick, had been flooded from one end to the other with bank paper—money was in every man's hands, and in an abundance unknown to any other period of our national history. The funds of the general government had been placed on deposit—in many of the old banks of the east, stimulating to over issues, giving every man an artificial, and unsound credit, raising all kinds of property to speculative and unreasonable prices, and as a consequence, engendering a wild spirit of speculation ever dangerous to society, and particularly, to the sober, inexperienced and unpretending laborers and farmers of the country. Towns started into existence with the rapidity of magic, rail roads and canals were chartered and

undertaken as though they were but the work of a day.—Stocks of all kinds went up and were bought with a phrensy worthy of the most glorious days of the South Sea Bubble.—The golden vision of wealth was in every man's eyes, and all rushed madly and headlong upon the ruin that succeeded.

The people of Indiana, like their neighbors of other states, old and new of that time, were ruined by speculating, overtrading, prodigality, imprudence and rashness. The "desolations" which Judge Wick witnessed in "Hoosier land," were just such as every other Judge throughout the whole length and breadth of our country saw at the crash that succeeded that memorable period.

This so called example, together with the opinions of Mr. Whipple and Senator Walker, is held up before us as a reason for repealing our present law. As to Mr. Whipple, it is sufficient to say that he scouts at Political Economy, and places it in the category of past follies, with Astrology, Metaphysics and Animal Magnetism, and we leave him and his work to the judgment of those who choose to peruse his pamphlet.

The Senator's position, however, is, that at twenty-five per cent, the money which has been sent into the country, will be in four years, sent back, and as much more with it; and that as a consequence, it must bank rupt the state to the extent of the loans taken.

On its face, this may seem a very fair proposition, and quite clear. But let us see. If money is brought into the state and loaned, it is most assuredly loaned for some purpose; now if it be borrowed as no man can deny, to put into some active business, it, as a consequence, creates something to pay its use with, and leave a balance on hand of created value to reward the industry employed. The settler, who enters his land' has his crop to meet the payment of the small sum that he was forced to borrow; and not only this, but he has his land left him better and more valuable than before he paid his debt. And can it be said that because he has paid a hundred

and twenty-five dollars that he had borrowed for the obtaining of his land, that therefore he is ruined, or one quarter bankrupt?

It is true, he has paid a high interest, but he has benefitted himself in the mean time; and added to his comforts. He has also added to the wealth of the State, and the more such instances we have of labor combining with capital, the longer it will take to bankrupt our state. Many men of this state, who now enjoy a handsome competency, and have contributed largely to the riches of the country, commenced on a few dollars of borrowed capital, and but for that credit would have never succeeded. Money is not borrowed to be kept idle, it is constantly producing something in connection with labor, and that production remains with us, no mattter where the principal and interest go.

It is said in the same connection by the Senator, that money is not capital, and that the tendency of the existing law is to keep money from investment and to bring it into the market for loan.

Well, if money is not capital, what is it? It is so called by all economists, and we apprehend that most men when possessed of a good supply of that article, feel themselves really men of capital. But how long will money seek the loan market? Plainly, until competition brings the rate down to the level of the average profits of actual investments, and no longer. That market, like all others, will fill up in proper time, and then it will hold its equality with all other branches of business. When money is loaned, however, it is at once invested—it is put into active use. And there can be no difference whether it is used by the owner, or lent out by him to another to be put to some actual employment. We know not what is meant by saying that money lent is not invested, and that were it not for our present law, it would be put into lands, &c. It all goes to some branch of industry, and lender and borrower receive of its accumulation jointly. This is the very object and direct tendency of the present law, to bring out

all the idle, surplus capital, and get it invested; the opposite is the tendency of the law proposed. In the one case, competition and the combination of capital with labor are encouraged; on the other hand they frighten money from the market, and it in many cases lies idle and unproductive where it would be actively employed, adding to the gains and growth of the country.

It is said that great embarrassment prevails throughout our state, that hundreds of farms are mortgaged at ruinous rates. And this is ascribed to the present law—or, putting the charge in its true form, it is maintained that had it not been for the existing law, these unfortunate farmers and others would not have been compelled to go into the market as borrowers.—We cannot suppose for an instant, that any man believes that those who have been forced to borrow within the last two years, would not have been constrained by the same necessity if a usury law had been in existence. All admit that large amounts of money have come into the country, and every business man knows that money is now lower in our cities and larger towns than ever it was under the former restraints.—Supposing this money had not been brought into our market, where would these men who are now complaining, have obtained the relief that has been of their own seeking? Instead of their getting the money cheaper, they would not have gotten it at all. Instead of mortgages resting on their lands, they would have had the gratifying alternative of judgments, consisting not only of their indebtedness, but of sheriff's, clerk's, witnesses' and lawyer's fees, by the side of all which, the present rates paid are a light burden.

But there are adequate causes for the present embarrassments. Farmers have borrowed money for improvements, relying upon their crops to meet their obligations; but when harvest time came their crops failed. This has been a universal thing for two years, and the weight has been growing heavier and heavier, without any means of relief to be found. Others, in their fondness for gain, have fitted out their sons or

their friends for California, and led by the bright prospect before them, have parted with their last team, or mortgaged their homestead for means to search out the golden treasure.

The drain to California has been immense, the amount being much beyond the ordinary estimates; and although it has not been in money to an extent exceeding one-sixth of the actual property taken out of our state, yet the effect is the same. It has decreased the available means of our people, and thus forced them to make loans to meet the deficiency that has been created. The effect has been double—to increase the number of borrowers, and to decrease the amount of money in the state. Two causes, increased demand and diminished supply, have operated together in this case to produce the greatest rise in money. The effects of this drain have been partly relieved by the influx from foreign states. Had it not been for this influx, occasioned by our liberal laws, money would have been held at rates far more ruinous than have existed. Men talk as though debts would not have been contracted nor necessity existed for their payment, had it not been for our present law—as though ElDorado would have had no chance, and every citizen would have stayed quietly at home without effort to realize his golded hopes. We do not understand what is meant by the majority, when they say that these things—short crops and California emigration—are the "*consequences*" of present embarrassment, and not the "cause." Others must search out the meaning and judge of the correctness of the position. When it is added that hard times have made "victims" for the free policy, we can only reply, they would have been "victims" under any policy.—Laws could not have shielded them, nor rescued them from the oppression of their debts.

Wisconsin, like Indiana, has fallen upon a most unlucky time to test the correctness of her free system of money.—Thousands are crying out against it now, who, if circumstanes had been what they were for the two years previous to its

adoption, would have been its strongest friends. The unfortunate are always ready and anxious to find something to accuse as the cause of their misfortunes, and they do not stop to inquire whether that cause be a reasonable and adequate one or not. It is generally sufficient that they can fasten upon some plausible reason not of themselves or their creation.

And how long have we been testing the law at present sought to be repealed? Scarcely two years, and all that time in the midst of the most adverse circumstances. It has had no opportunity of working out and demonstrating its own legitimate effects. It is being tried upon a false issue and before a prejudiced and inflamed jury. We cannot think that any other law involving half as many interests as does this, and so deeply affecting the property relations of our state, would be stricken from our statute book in hot haste. The feelings of many are violent against it, and yet we doubt if they have paused to reflect upon the subject, or if they have, whether they have discovered one good reason founded in principle, why it should be repealed. Hasty legislation is the bane of western laws. The people cannot rely upon any law even of a general character and of the highest importance, remaining unaltered for a longer space than twelve months.—Vested rights are assailed with the same freedom that we legislate about a highway or a hog-pound. Calculations based upon the faith of the public voice, as expressed in its statutes are arrested in their progress, and the rational hopes of business are left to disappointment, with profits unrealized and capital sunk. And all this we do with as little reflection and care, as though we were defining the boundaries of a school district, laying out a state road or chartering a paper city.

It has been observed that even indifferent laws permanently adopted and scrupulously obeyed, do more for the people than the best system frequently varied or constantly disregarded. This is true—important laws should never be changed from trivial or improper causes, but only from clearest necessity. Confidence in law is thus weakened, and the respect that should be paid to legislation fails to be inspired.

Men now say publicly, I would undertake this enterprise, and invest my money, but I can place no reliance in your laws, if I invest my capital, I shall be legislated out of it as soon as it becomes profitable.

We submit, then—should we not pause before we make so important a change? Should we not, at least, give ample time and opportunity for the present system to vindicate itself? Ought it not to have the chance of one favorable year, after having struggled against every unfavorable circumstance that could have attended its operations?

It is said that the law has had ample time to prove its effects. We think not. Laws affecting the moneyed relations of society require time to produce their proper results. It could be as truly claimed that a tariff system could be fully tried in one year, as that our present law should be completely understood in all its workings, in the period in which it has had to operate. Time is needed for the rules of property intercourse to become established, and all the intricate machinery, regulating the interest of capital and the money market to be resolved into fixed relations to the various industrial interests that are affected by and depend upon it.

The undersigned would prefer that the present law remain unchanged, believing it to be founded in reason, in the principles of political science, and that it would in proper time prove its adaptation to the best interests and permanent welfare of the people.

But as a measure for the present, a concession of the demands of the friends of usury laws, we would freely consent to some change. Too rapid a stride may have been made two years ago, when the present law was passed; but conceding that, we are not willing to go back to a law so odious as that commended by the majority. It smacks too strongly of the days of Romish restriction, and of the age that declared the taking of interest at any rate, to be a felony. If one class of community is suffering, we would hearken to their cry and extend relief; but it is asking too much, indeed, in doing this,

to require us to approve a law which legislates directly, we had almost said intentionally, against another equally deserving class. Laws are made for all, and if there be any odious thing in political morals, it is class legislation. There is a large and useful body of men in this country, as in every other, who depend upon short loans and quick returns, and who have not the means or fortune at hand to be independent in their business transactions. Such a law legislates directly against them in conuection with the capitalist, and shuts them out from the avenues of trade, thereby lessening competition and throwing business into a few hands for exorbitant profits, at reduced purchases.

The enterprising, shrewd and observant man, who sees his chances, and would enter the market to compete with others in the purchase of the various products of labor, is shut out for the want of a market to which to resort to obtain the means to carry out his plans.

We would cheerfully support a bill which should leave promissory notes, bills of exchange, and every kind of loan unsecured by real estate, unrestricted by the present law, when given on short time, say up to six or twelve months, and which should restrict loans on mortgage for twelve months or less, to some reasonable rate by contract, and over twelve months at some less rate—making reasonable penalties and forfeitures for any violation of it provisions.

But such an act as that proposed—one that allows of treble the interest paid, and forfeits principal and interest both, we cannot favor. It is too ultra in all its features—it violates every principle of political economy and morals known to the world—it will operate most severely and ruinously upon capital and enterprise, and, worse than all, it holds out a direct bribe to falsehood, knavery, intrigue and fraud.

We offer no apology for the length of this report. From the positions assumed, and the importance of the question involved, we could do no less. It is a subject which has perhaps a greater bearing upon the monied interests and industri-

al pursuits of our young state than any and all others. We ask its attentive perusal—not from the idea that, of itself, it will convince any, but that it may lead to that reflection and care which should always guide legislative action.

If it will induce any one to look carefully into the principles here touched upon, and direct them to a full examination of the works upon this subject, upon which this report is based—for we lay no claim to originality—we shall be abundantly satisfied. We should feel happy if we could leave this subject to the decision of any author of political economy, of any standing, within the last one hundred years.

Much feeling has been manifested, amounting, we regret to say, in many instances, to a feeling of hatred and revenge toward the capitalist, but we do not desire, as legislators, to act in that spirit, nor to base our judgment upon isolated cases, and those, perhaps, of our neighbors and friends.

Believing that legislation is designed for all alike, and preferring to be directed by the dictates of reason rather than swayed by the impulses of feeling—the foregoing is respectfully submitted.

WM. R. BIDDLECOME,
ROBERT M. BRIGGS.

DOCUMENT "K."

REPORT

Of the Committee on Incorporations on the Submission of the Bank Question.

The committee on incorporations to whom was referred so much of the Governor's Message as relates to the subject of banks and banking, and also numerous petitions of citizens of different parts of the State, asking for the submission of the question of bank or no bank to the people,

REPORT:

That they have had the same under consideration and a majority of them are of opinion that the question of bank or no bank should be submitted to the voters at the next general election.

Section 5, of Article XI, of the Constitution, provides that "The legislature may submit to the voters at any general election, the question of bank or no bank, and if at any such election a number of votes equal to a majority of all the votes cast at such election on that subject shall be in favor of banks, then the legislature shall have power to grant Bank Charters," &c.

It is well known that the Constitution first submitted to the people, which contained very stringent provisions against the incorporation of banks, and the circulation of bank notes, was rejected by a very large majority, and chiefly, it is believed, on account of the introduction of that article. Other grave objections, it is true, were urged against the instrument, but it is the general opinion of the friends and opponents of its adoption, that it was rejected almost solely on that ground.

When the second Constitutional Convention met, the banking question was again agitated, and after a protracted strug-

gle, was finally confirmed by the insertion of the section above recited, and to the general satisfaction of both parties, each claiming that a majority of the electors were in favor of their respective principles, and each willing that it should be left to the people themselves to decide the issue, when distinctly and separately presented to them, without reference to any other question whatever.

It was obviously the intention of the framers of the Constitution, to form one which should be adopted by the people, and also that the vexed question of Banking should be submitted as a separate measure, and at the earliest practicable moment.

Your committee can see no good reason why this question should not at once be submitted to the voters. The only arguments which have been urged against the immediate submission, are, that the legislature has not been asked to do so, that but few petitions have been sent up requesting it, and that if the question be submitted, there is great danger that a majority of the votes cast will be in favor of Banks, and thus Banking Institutions be fastened upon the State.

In answer to the first objection. we should say that though comparatively few petitions have been sent to us, yet from frequent and long continued agitation of the subject, there can not be a doubt but that a large majority of the voters of the State demand immediate action. And the second objection virtually concedes that there is no truth and no force in the first; for if it be true that if the question of banking be left to a vote of the people, that they will decide in favor of banks, then it follows that the passage of such a bill is demanded by them.

To the second objection we reply, that in democratic governments it is a well-established principle that the will of a majority fully obtained and fully expressed should prevail.—This principle has become so well settled and so universally acted on, that it has become an axiom in politics, and the day has passed for questioning its correctness. The principle lies

at the foundation of our form of government; it has been maintained and acted upon by all parties from the formation of the Constitution to the present time, and though its exercise at times may prove injurious and prejudicial to the interests of the State; yet to act upon any other, to allow the views of a minority to govern and control the fairly expressed wishes of a majority, would be despotic and tyrannical.

It has been sought by many to engraft upon the creed of a party, opposition to banking institutions, but the attempt has thus far been unsuccessful, and it is useless to continue it.—Parties are not yet prepared to divide upon that issue—other, and more important questions separate them.

If a majority of the people of this State decide in favor of banks, it is right, it is democratic that their wishes in that respect should be carried out, and your committee are of opinion that the question should at once be submitted to them.—The Constitution has pointed out the appropriate mode of doing so; and in accordance with the views expressed, the committee ask leave to submit the following bill.

CHAS. E. JENKINS.
PATRICK ROGAN.
G. C. O. MALMROS.

DOCUMENT "L"

REPORT
ON LAND LIMITATION.

The committee on "Land Limitation" having introduced a bill entitled, "a bill to limit the quantity of land hereafter to be held or owned by any one person," asks leave to present their views on that subject in the following

REPORT:

Nothing is more important for the prosperity of a nation, especially a Republic, than to have the lands of the nation divided among the people, in freeholds of reasonable extent, and that a limit be affixed to the quantity of land which any one person may acquire. In fact, history will inform us, that nations have been happy and prosperous, or miserable and weak, just in proportion as this rule has been conformed to. The accumulation of lands in the hands of the Patricians in Rome, destroyed the Republic; and the accumulation of lands in the hands of usurers, in the Roman Empire, destroyed finally the Western Empier o f Rome.

St. Pierre, an able and popular French writer, is his "Studies of Nature," translated by Hunter, at pages 119 and 120, says, "I have often been astonished that there is no law in France to prevent the unbounded accumulation of landed property." He says many fine things in favor of such a law, and shows the influence of land monopoly in producing embarassments among the working people, and in corrupting public morals. His work was published in 1784. In truth, land monopoly in France was one main cause of the terrors of the Revolution in that country; and the more equal distribution of lands by confiscation and sales, prepared the way, for that subsequent strength of France against all her enemies.

It is a false supposition, that some make, that in a true state of society a time will ever arrive, when the earth will not present homes for the entire family of man that may exist at one time. A very small place, perhaps about 150 miles square. would afford standing room for all the people that have existed in the 6 00 years since the creation. Reduce 10 miles square to inches and divide this area by 18 inches square, viz. by 324 square inches,) and the quotient is 1,239 000,000; of areas, each of 18 inches square. There are not more than 800 millions of people on the surface of the globe, and as there are 1239 million of areas, of 18 inches square in 10 miles square, you might collect the whole population of the globe, and one half more, if you could find them, and stand this entire population on the District of Columbia; allowing every man. woman and child including the infant in the mother's arms, 18 inches square as a space for standing, and all the spaces would not be occupied. So mere a handful are the people of the globe compared with the space which Providence has prepared for them.

As the public lands of our country for which no vested title has yet been obtained exceed 1,400,000,000 square acres, you might, in a fraternal state of society, subsist the population of the globe on these lands, leaving the rest of the world unoccupied. And yet, under the effects of land monopoly, men and nations are starving and perishing from the want of lands, notwithstanding the abundance of provision for all which the Deity has created.

The deprivation of the natural right of man to the soil, must be injurious to all classes of society. The working men, born without an inheritance of land or money, are thrown into an over-crowded market of labor, into competition with their brethren, and under the necessity of selling their labor or mechanical skill for a rate of wages barely adequate to sustain life.

The surplus laborers, unemployed are deprived of the right to life, except upon charity; and thus their minds are degraded by ignorance, and their morals by misery and crime.

Those who have some property, and who live by manufactures or commerce, are exposed to the ruinous operations of speculation and competition by over grown capitalists; and the small employer is, in too many instances, at the mercy of a larger one, who holds his destiny in his power.

To both rich and poor, land monopoly is finally injurious; and its sinister results may be beheld in all departments of life and of business. In Wisconsin the ill effects of land monopoly are plainly seen. The money expended for lands and amassed by speculators from the toiling masses for the mere land, which God created for the good of all, would, if retained by the working people, to whom it belongs, be an amount of wealth ample for the erection of houses, barns and for other improvements, saving them from the hard necessity of resorting to loans from usurers, at an enormous interest. In fact, land monopoly is the monster parent of interest for money; for if lands were free to all, wealth must remain to the producer of it, and the speculator and usurer would be compelled to change their vocations.

For at least three years the farmers of Wisconsin have suffered either from short crops or from injuries to grain in harvest, or from difficulty of getting grain to market, by bad roads. Now, may it not be the fact that these evils are the results of land monopoly? at least partly so? Farmers till such large fields that they cannot do that justice to their husbandry, which would be manifest if smaller fields were well put in. Hence the winters are severe upon their crops. Neither can they gather large fields so well as they could smaller, and better crops, as they have not help, and have parted with the money for land, which should have gone for agricultural machinery. The same reason prevents them from putting up capacious barns and constructing good roads. Their crops, in not a few instances, rot on the fields, or they are prevented from getting them to market, or they are obliged to go to market in consequence of debts at the most unprofitable time of the year. It is the opinion of the committee that if an

inquiry were made, land monopoly would be proved to be the cause of great pecuniary and agricultural distress is this State. There is plenty of money in the East, but the money market must be always difficult and straitening in a new agricultural state under such consequences of land monopoly.

Look at the evils also inflicted on community from the fact that town, village and city lots are in many instances held by land lords for rent. If a tavern-stand, a shoe-shop, clothing store or grocery stand is in a good place for business, the land-lord puts on the tenant such a rate of rent that the tenant after paying all, can perhaps only barely get along with his family. Hence the tenant is compelled to charge his customers such exorbitant prices that the public often complain of extortion, not knowing that they are put under tribute to satisfy the rapacious exactions of land monopolists. This is a great and common evil, and the cause is not enough noticed by those who suffer from its effects. A few men thus prey upon society. If the owner of a stand occupies it himself, he is still able to charge extravagantly, because he has for his competitors around him, tenants, who have to pay high rents. and who have to raise their prices on sales to cover them, and just in conformity with the enormity of their rents.

Land monopoly is the root of vast evil to the morals of our citizens, to the cause of education, and to practical religion; and the welfare and happiness of our country demand its extirpation, and the most effectual plan of removing the evil, is a Land Limitation law of such a nature as has been proposed.

Before closing this report, your committee would commend to your consideration the following extract from a report to the Legislature of New York:

"It is contrary to justice that a human being should be born without having the right to a free home somewhere on the earth. According to the theories of political economy, a man who is born in a world already occupied, if his family have not the means of supporting him, and society have no need of his labor, has not the right to claim any portion of nourish-

ment, and he is really one too many on earth. At the great banquet of nature there is no room for him. Whether in a true state of society, and a rightful apportionment of the soil, the earth will ever be over-peopled, is a problem yet to be solved, and which time only can answer."

"The All-wise and powerful Architect has probably so pre-ordained his government that in a just condition of society overspreading our world, there shall be a natural law of equilibrium between the resources of the earth and the entire population, so that no famine and misery shall then arise. But if it were destined that at any time the earth should be over-peopled, we ought not artificially to produce the horrors of such an event, now, in the infancy of society, by land monopoly."

All which is respectfully submitted.

Wm. K, WILSON, Ch'n.

DOCUMENT "M."

REPORT

Of the Special Committee on the Repeal of the present law on the sale of intoxicating drinks.

A majority of the Committee to whom was referred several petitions asking for the repeal of the law on the sale of spirituous liquors, and the enactment of a law similar to the License Law of 1839, and to whom was also referred a bill for licensing the sale of intoxicating drinks :

REPORT

That they regard the present law on the sale of intoxicating drinks as immoral in its consequences and wrong in its principles. It is a well established fact that since the enactment of that law the number of grog-shops, groceries, saloons, etc., has increased more than twofold, and especially those of a disorderly character, nothing being more easily obtained than the bond required by law. If on the contrary a sufficient sum must be paid for obtaining a license to sell spirituous liquors, there will be found persons who will find the sale of intoxicating drinks profitable, and those that can afford to pay such sum, will in general keep a better and more orderly house.—It is wrong in principle because it holds persons responsible for damages arising out of wrongs to which they are not parties either as principals or accessories.

Those selling spirituous liquors, sell a lawful article of trade, and after having lawfully transferred it, and of course lost all control whatever over it, they are, notwithstanding, made responsible for all damages which may arise out of the unreasonable use, which other people, well knowing the properties of the article bought, may choose to make of it.

According to the views expressed, a majority of your committee recommends the repeal of the present law on the sale of intoxicating liquors, and the passage of the bill referred to them, with two slight amendments.

All of which is respectfully submitted,

G. C. O. MALMROS, CH'N.
JOHN L. DORAN.

DOCUMENT "N."

ANNUAL STATEMENT.

OFFICE MERCHANTS MUTUAL INS. COMPANY,
MILWAUKIE, FEBRUARY 3D, 1851.

TO THE HON. FREDERICK HORN,

Speaker of the Assembly of Wisconsin:—

We have the honor to submit herewith, the following Annual Statement of the affairs of this Company for the year ending February 3d, 1851, in conformity with an act amending the act incorporating this Company.

Received as Follows:

Unearned Premiums ascertained Feb. 4, 1850,	3,506 36	
Marine Premiums,	25,932 98	
Fire Premiums,	5,060 29	
On Re-insurance Policies,	5,900 90	
	40,400 47	
Deduct Return Premiums,	367 77	
		$40,032 70

Paid as Follows:

Marine Losses, Reinsurance and Commissions,	29,096 01	
Fire Losses	550 00	
Expenses, Salaries, Stationery, &c.,	3815 57	
		$33,461 58

The whole number of policies issued by the Company has been: Marine Policies, five hundred and twenty. Fire Poli-

cies, two hundred and seventy-one. By far the greater portion of the Company's business has been done upon *Open Policies*, so that the *number* affords no criterion of their business.

The Assets of the Company are as follows:

Cash in hand,	8,079 57
Bills Receivable,	2,929 25
Due from Agents,	3,592 36
Due from Individuals,	2,878 32
Mutual Script,	435 00
Personal Property,	1025 18

Guarantee Capital, Judgment notes, as follows:

Alexander Mitchel,	5,000 00
Hale, Manney & Co.,	2,000 00
Webb & Co.,	1,000 00
Greulich & Haertel,	1,000 00
Lemuel W. Weeks,	5,000 00
Clark Shepardson,	3,000 00
Wm. B. Hibbard,	1,000 00
L. J. Higby,	2,000 00
Dousman & Co.	1,000 00
Edmund Sanderson,	1,000 00
Horatio Hill,	2,000 00
Charles H. Larkin,	1,000 00
Allis & Allen,	2,000 00
Geo. D. Dousman,	3,000 00
L. Comstock & Co.	1,000 00
John W. Pixley,	1,000 00
Seth Johnson, Jr.,	1,000 00
H. Crocker,	1,000 00
Medbury & Hoover,	3,000 00
A. Finch, Jr.,	1,000 00
Ludington & Co.	3,000 00
Joseph Cary,	1,000 00
D. A. J. Upham,	1,000 00
Henry J. Nazro,	5,000 00
Cicero Comstock,	3,000 00

Daniel Wells, Jr.,	5,000 00
John W. Medbury,	3,000 00
Henry Williams,	2,000 00
Lyndsey Ward,	2,000 00
E. B. Wolcott,	1,000 00
Harrison Ludington,	2,000 00
Williams & Co.	1,000 00
James Kneeland.	3,000 00
Wm. Sanderson & Co.	2,000 00
E. C. Kellogg,	1,000 00
Thompson Littell.	1,000 00
Geo. F. Austin,	1,000 00
Nelson Ludington,	1,000 00
James Porter,	1,000 00
R. D. Jennings,	1,000 00
A. F. Clark,	1,000 00
F. J. Blair,	1,000 00
Rood & Whittemore,	1,000 00
Wm. H. Byron,	2,000 00
Wm. Brown, Jr.	1,000 00
David Ferguson,	1,000 00
S. B. Davis,	1,000 00
	$104,939 78

The Trustees have declared a cash dividend of five per cent for interest on the Guarantee Capital, for the year 1850; also a cash dividend of seven per cent for interest on certificates heretofore issued by the Company.

All of which is respectfully submitted.

L. W. WEEKS, Pres't.

P. W. Burrows, Sec'y.

DOCUMENT "O."

A COMMUNICATION

From the Commissioner of the General Land Office, on the subject of Swamp and Overflowed Lands, and a Communication from Alexander Vattemare, Esq., on the subject of International Exchanges.

COMMUNICATION FROM J. BUTTERFIELD.

GENERAL LAND OFFICE,
NOVEMBER 21, 1850.

SIR:

I have the honor to enclose you a copy of the instructions this day sent to the Surveyor General of your State, for the selection of the swamp and overflowed lands, to which the state will be entitled by the act of 28th of September 1850.

You will perceive that by those instructions, the Surveyor General is authorized to receive such reliable evidence of the character of any of these lands as may be presented by the authorities of the state; and as many of the lands were probably surveyed at dry seasons, and hence are not represented by the descriptive notes or plats as being of that character, I have supposed that it may be of sufficient importance to induce you to call upon the county surveyors, or other respectable persons of your state, for a statement, under oath, of the swamp or overflowed lands in their respective counties.

Such testimony, you will perceive, will be regarded as establishing the facts in the case, and on receipt of the reports of the Surveyor General's lists of the lands will be prepared as required by the act submitted for the approval of the Secretary

of the Inter-r, and plats and patents for the lands thus approved, will at once be prepared and forwarded to you.

With great respect,

Your ob't. servant,

J. BUTTERFIELD,

Commissioner.

His Excellency,

The Governor of Wisconsin.

GENERAL LAND OFFICE,
NOVEMBER 21st, 1850.

SIR:

By the act of congress entitled "An act to enable the State of Arkansas and other states, to reclaim the 'swamp lands' within their limits," approved September 28, 1850, it is directed "That to enable the State of Arkansas, to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamp and overflowed lands made thereby unfit for cultivation, which shall remain unsold at the passage of this act shall be, and the same are hereby granted to said state."

1st. By the 4th section of this act, it is directed, that the provisions of it shall be extended to and their benefits be conferred upon each of the other states of the Union, in which such swamp and overflowed lands may be situated.

2d. And "that in making out a list and plats of the lands aforesaid, all legal sub-divisions, the greater part of which is 'wet and unfit for cultivation'' shall be included in said list and plats; but when the greater part of a sub-division is not of that character, the whole of it shall be excluded therefrom."

This act clearly and unequivocally grants to the several states those lands which from being swampy or subject to overflow, are unfit for cultivation; in this class is included also all lands which, though dry part of the year, are subject to inundation at the planting, growing or harvesting season, so as to destroy the crop, and therefore are unfit for cultivation, taking the average of the seasons for a reasonable number of years, as the rule of determination.

You will please make out a list of the lands thus granted to the state, designating those which have been sold or otherwise disposed of since the passage of the law, and the price paid for them when purchased.

The only reliable data in your possession from which these lists can be made out, are the field notes of the surveys on file in your office; and if the authorities of the state are willing to adopt these as the basis of those lists, you will so regard them. If not, and those authorities furnish you satisfactory evidence, that any lands are of the character embraced by the grant, you will so report them.

The following general principles will govern you, in making up these lists, to wit:

Where the field notes are the basis and the intersections of the lines of swamp or overflow with those of the public surveys alone are given, those intersections may be connected by straight lines, and all legal sub-divisions the greater part of which are shown by these lines to be within the swamp or overflow will be certified to the state, the balance will remain the property of the Government.

Where the state authorities may conclude to have the surveys made to determine the boundaries of the swamp or overflowed lands, those boundaries alone should be surveyed, taking connections with the nearest section or township corners; or

Where the swamp or overflowed lands are on the borders of a stream or lake the stream or lake could be meandered and ordinates surveyed at suitable intervals, from the borders of the stream or lake to the margin of the swamp or overflowed lands, and by connecting the ends of those ordinates, next to that margin by straight lines, the boundaries of the swamp or overflowed lands can be ascertained with sufficient accuracy. In no case, however, should any such boundaries or ordinates be marked in the field, as they may produce difficulty in determining the lines and corners of the public surveys hereafter, and thus lead to litigation. The selections in all these cases

will be made as before directed. Where satisfactory evidence is produced, that the whole of a township, or of any particular and specified part of a township, or the whole of a tract of country bounded by specified, surveyed or natural boundaries, is of the character embraced by the grant, you will so report it. The adjacent sub-divisions however to be subject to the regulations above given; and in every case under each rule or principle herein prescribed, forty acre lots or quarter quarter sections will be regarded as the legal sub-divisions contemplated by the law.

The affidavits of the county surveyors and other respectable persons that they understand and have examined the lines, and that the lands bounded by lines thus examined and particularly designated in the affidavit, are of the character embraced by the law, should be sufficient.

The line or boundary of the overflow, that renders the land unfit for regular cultivation may be adopted as that which regulates the grant.

You will make out lists of these lands as early as practicable, according to the following form, one copy of which you will transmit to the land officers and another to this office. The lands selected should be reserved from sale, and after those selections are approved by the Secretary of the Interior, the Register should enter all the lands so selected in his tract books as "granted to the State by act of 28 September, 1850, being swamp or overflowed lands," and on the plats enter on each tract, "State act 28th September, 1850." Copies of the approved lists will be sent to the Registers for this purpose.—Your early attention is requested in this matter that the grant may be disposed of as speedily as possible.

Very respectfully,

Your obedient servant,

(Signed,) J. BUTTERFIELD,

Commissioner.

C. H. Booth, Esq.,

Surveyor General,

Du Buque, Iowa.

Part of Section.	Section.	Township.	Range.	Remarks.

COMMUNICATION
FROM ALEXANDRE VATTEMARE.

WASHINGTON CITY, October 25, 1850.

His Excellency, the Governor of Wisconsin ;—

SIR :

Being about to take my final leave of the United States, I am desirous, before my departure, to make my grateful acknowledgements to the various states of the American Union, to which I have been so long and so deeply indebted for their unvarying kindness and hospitality, and the liberal appreciation they have manifested of the system of which I am the humble author and advocate. Most of the States have either adopted the plan of intellectual intercourse with the nations of the old world, and contributed liberally towards its support, or have indicated a desire to do so. Those that have engaged in the system and have reaped its first fruits, have been satisfied with its result, in enriching their libraries with the productions of European genius. My object in the present letter is to urge upon such States the importance of securing its permanence by the adoption of measures calculated to place its

support beyond the reach of political contingencies, To this end I would beg leave respectfully to make the following suggestions :

I. The appropriation made by each State should be quite small—so small as not to offer a mark for retrenchment, and to be in the neighborhood of the pecuniary value of the objects received ; and a portion of the sum should be retained to pay the home expenses of the system. In making this suggestion I do not wish to be understood as recognizing the pecuniary value as a just measure of acts of national comity and good will, but I wish to put the system of exchange beyond the reach of the cavils of those who recognize no other mode of estimation.

2. The appropriation should be certain. Some of the states in a spirit of liberality, have made appropriations larger than would be necessary if all contributed their proportion to the support of the system, and remitted the amount appropriated with promptitude and regularity. The efficient conduct of the system depends upon the certainty and permanence of the appropriations more than upon their amount. Clerk-hire, office rent, transportation, pay of agents, &c., demand a constant and certain income, and without the means of meeting these expenses the system could not exist a single year. In the first years of its existence, my own private purse supplied the means of realizing a favorite and long cherished idea ; but having now presented it fairly to the world, I cannot doubt that being found to repay a hundred fold the comparatively trifling cost of its maintenance,it will be liberally and cheerfully supported.

3. A standing committee or permanent agent should be appointed by each state to be charged with the business of exchange. It should be the duty of the committee or agent to communicate to the central agency a statement at certain intervals, of the intellectual wants of the state—the books, maps, works of art. &c., which are most needed—and of the objects which are in possession to be given in exchange.—

For want of such a system I have been obliged in most cases to rely entirely upon my own judgement, and may often have erred by sending to a state what is already possessed. The great questions in these interchanges are,—what do you want? and what have you got to give in return for the supply of your wants? The whole efficiency and usefulness of the plan rests upon an intelligent reply to these questions. I beg leave to ask particular attention to the indispensableness of a provision of this kind.

Should these three points be attended to by the states adopting the plan, I shall have no fears for its permanent establishment and complete success.

In conclusion, I have a few remarks to offer by way of apology: The infancy of a great enterprise is its trying time; its friends are apt to be fearful or discouraged, and its enemies have a thousand opportunities for objection and reproach.—I have had abundant occasion to know this in my own experience; but confident of the value of the plan, and conscious of no other selfish motive in desiring its establishment, than the ambition of being the instrument of good to my fellow men, I have but one request to make of those who would pass a just judgement upon the system and its author—a little patience. My absence from the center of operations, the vast multiplicity of the objects requiring my personal attention, the want of means to save myself from clerical drudgery for the administration of the system, have all contributed to delay that regularity in its conduct which is indispensable to the full realization of its benefits. I am now about to return to Paris, when I hope the friends who have extended to me their generous confidence on this side of the Atlantic will have no reason to be disappointed—I expect to make arrangements which will give to the transactions of exchange all the regularity of commercial operations.

There is an idea which I have long cherished which I wish to place in a prominent light before the American people, and in which I hope to secure their unanimous co-operation—it is

the establishment of an American library in city of Paris.—Much progress has already been made in the realization of this idea. Nearly five thousand volumes of works exclusively American have already been collected, and now form the nucleus of an American Library in an apartment of the Hotel de Ville, under the special and exclusive direction of the city authorities of Paris. It is their intention to arrange the works belonging to the several states in separate alcoves, inscribed with the names and arms of the various members of the Confederacy from which they come, and to collect there the busts and portraits of the celebrated men of your country, and the productions of her artists in every kind. To accomplish a plan so eminently calculated to place America in her first position before the eyes of Europe, I make my appeal to the patriotism of the citizens of the States. I hope that the authors and publishers of America will respond to the proposition, by contributing to that library specimens of the productions of American learning and genius. Would not your Excellency take some measures to bring this subject to the attention of the people of your State, in order that they may be faithfully represented. The contributions made for this purpose should have their destination distinctly indicated, and should pass through the State Agency. Among the most prominent elements of usefulness in this library, would be a complete series of the State Laws. Questions arising before foreign consuls and ministers render these works of the utmost value for reference. I need not, I am sure, point out to your Excellency the value and importance of such an establishment in the heart of Europe. They will at once suggest themselves. In such a library, everything American would find an appropriate place. Pamphlets, maps and engravings, as well as books, would there possess an interest perhaps unsuspected at home, where they are apt to be undervalued or overlooked, or thought to possess a merely local interest.

I most cordially invite the co-operation of your young state in carrying out this as well as the other portion of designs

which I think can hardly fail to result in benefit to the country, and to secure the approbation of every enlightened patriot. Your objects of Natural History would have a great interest in Europe, and would secure you returns in important works. May I beg of your Excellency to bring this subject to the attention of your legislature.

I have the honor to be

Most respectfully

Your Excellency's ob't serv't,

ALEXANDRE VATTEMARE.

P. S. Senator WALKER has just called at my room in the Capitol and expressed the desire that your state should possess a copy of the "Maisons Rustiques," a celebrated treatise on husbandry. Having a copy now at my disposal, I have the honor to offer it to your Excellency for the State Library.

My address is as follows :

"International Exchanges,"

ALEXANDRE VATTEMARE.

Paris, France.

Care Adams & Co., New York,

Commissary General of Marine,

Havre,

DOCUMENT "P."

REPORT

Of the Committee on Agricultnre and Commerce.

The Committee on Agriculture and Commerce, to whom that part of the Governor's Message, which relates to the "Agricultural interests of the country" was referred, and also sundry Resolutions, and Memorials from Agricultural Associations and individuals, on the subject of an Agricultural Department in the State University, and a State Agricultural Society, beg leave to Report,

That they have had the same under consideration, and have carefully compared and considered the suggestions and recommendations contained in the Message, as well as those of the petitioners; they have also carefully compared the views expressed by the petitions with those of his excellency, the Governor, and those of the regents of the University, embraced in their Third Annual Report, under the head of "Application of Science to the Useful Arts," to which the Governor favorably alludes in his Message: in all of which your Committee have found a perfect coincidence of sentiment in relation to the importance of providing liberally for the endowment of a Department in the University of Wisconsin, for the acquisition and diffusion of that knowledge which will enable the tiller of the soil to pursue his useful and honest and honorable profession, or calling with certainty and success.

That Agricultural Science is indispensible to the successful pursuit of the husbandman, is no longer a problem to be solved, but is universally admitted by all classes.

That the Agricultural interest of this State has equal claims upon State bounty, with the learned professions, your committee feel confident that all will admit.

"That Agricultural Science, like all other sciences, can only be acquired by study and research, and that the discipline of the school is essential to its acquisition," will also be readily admitted.

Hitherto, while the other professions have had their departments, their bureaus, their libraries and their lyceums, and thereby were improving their conditions, Agriculture has been suffered to remain in the back ground, to struggle along single handed and alone, without the aid of Agricultural Science, or presuming to gain access to the public crib. It is no less true that while the industrial classes have received comparatively nothing from the treasury, it is from their hard earnings, in a great measure, that the treasury is replenished.

Your committee would not be understood as casting any reflections on the other professions by these remarks, for they are frank to say, that in all the attempts which have been made in other states, and in various ways, to elevate the standard of agriculture, and to improve the condition of the agriculturalist, the professional part of community, to their honor be it said, have uniformly extended a liberal hand, and your committee will not doubt that such will be their course in Wisconsin.

In order to remedy an evil, it becomes necessary to ascertain the cause of such evil, that the proper remedy may be applied.

What then may be considered as the most prominent reason why the agricultural interests of the country have not kept pace with the learned professions?

In the language of the Regents of the University, your committee would say, "That the prevalence of the sentiment hitherto, that the propriety of liberal culture, both general and professional, is confined to the practitioners of the learned professions, and that all the science and the philosophy, which transcends the rudimental instructions of the common school, would be thrown away on the farmer and the artezan, has done more than aught else to impair the effectiveness of the indus-

trial process, to limit the beneficial action of the useful arts, and unfortunately for the public to let down their position in the social economy ;" and further, that "without a knowledge of Agricultural Science, the farming process falls to the low level of routine and drudgery. With it, agriculture rises to the dignity of a profession, and vindicates its undoubted claim to stand not only in the first rank of the experimental arts, but side by side with the learned professions in interest and honor, as well as profit."

In view of these facts, promulgated as they are from such high authority, your committee is aware that a brighter day is dawning—that the time has passed by, when any respectable portion of community will presume to doubt the propriety and necessity of immediate legislative action in the matter—that the scales which have hitherto blinded the mental vision of the community at large, on this subject, are fast giving away to the penetrating influences of the light which science has bro't to bear upon them, and by which they are enabled to see clearly their condition, and to appreciate the important relations which the producing classes bear to the prefessional classes, and the interests of the state at large,—that while the agriculturalists pay much the largest proportion of taxes for the support of the government, they should be entitled to receive their relative proportion of state bounty, especially when it is conceded that whatever tends to the advancement of agriculture and the mechanic arts, adds to the wealth of the states and operates equally beneficial upon all.

In accordance with the views and suggestions herein set forth, and to cary out the plan suggested by the Regents, as well as to meet the wants of the Petitioners, your committee beg leave to introduce a bill for the organization of an Agricultural Department in the State University. They also give notice that they will on some future day ask leave to introduce a bill for the formation of a State Agricultural Society.

All of which is respectfully submitted.

H. JOHNSON, Ch'n.

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No. 2. Relating to interest of money; introduced and read 1st and 2nd times 47, further proceedings 85, 86, 125, 226, 490, 49..

No. 3. Relating to the village of Madison; introduced and read 1st and 2nd time 55, further proceedings 71, 78, passed 79, passed senate 119.

No. 4. To authorize the construction of a toll bridge across the Fox River at Depere in Brown county; introduced and read 1st and 2nd times 55, further proceedings 72, 73, 78, passed 79, passed senate— approved 250.

No. 5. To incorporate the Board of Trustees of Brockway College; introduced and read 1st and 2nd times 90, further proceedings 85, 94, passed 104, passed senate 129, approved 185.

No. 6. To establish Emerald Grove Academy; introduced and read 1st and 2nd time 60, further proceedings 90, 94, passed 104, passed senate 132, approved 185.

No. 7. To permanently locate the county seat of Lafayette county; introduced and read 1st and 2nd times 69, further proceedings 85, 89, passed 90.

No. 8. To change the name of the town of Buena Vista in St. Croix county; introduced and read first and second times 73, further proceedings 73, passed 79, passed senate 96, further proceedings 103, approved 134.

No. 9. To change the name of the town of Elizabeth in St. Croix county; introduced and read 1st and 2nd times 73, further proceedings 80, 84, passed 86, passed senate 107.

10. To pay Joseph Bowron the sum therein named; introduced and read 1st and 2nd times 73, further proceedings 74, 78, passed 79, passed senate 96, further proceedings 103, approved 134.

11. To amend sec. 25, chap. 10, of the Revised Statutes; introduced and read 1st and 2nd times 77, further proceedings 77, 128, 213, 214, 215.

12. To amend an act entitled "an act to provide for the appraisal and sale of school lands, and for granting preemption rights thereon, approved Feb. 5, 1850; introduced and read 1st and 2nd times 78, further proceedings 124, 129, 131, passed 140, passed senate 167, approved 251

13. For the apportionment of school money for the year 1851 ; introduced and read 1st and 2nd times 78, further proceedings 149, 151, passed 167, passed senate 20).

14. To limit the quantity of land hereafter to be held or owned by any one person ; introduced and read first and second times 78, further proceedings 216, 252, 253. 254, 266, 325 329, 357, 360, 388, 390, 393, 294, 607, 6)8, 635, 636, 637.

15. To authorize the assessment and collection of taxes in the city of Milwaukee : introduced and read 1st and 2nd times 80, further proceedings 90, 91, passed 91, passed senate 102,

16. To repeal sec. 3, chap. 88, title 22, part 3 of the Revised Statutes, and to amend sec. 9 of the same ; introduced and read 1st and 2nd times 81, further proceedings 94, 114, 115, 428, 779, passed 779, title amended "to amend sec. 5, chap. 88, of Revised Statutes, and increase the jurisdiction of justices of the peace in certain cases," 780.

17. To amend chap. 12, of title 4, of the Revised Statutes ; introduced and read first and second times 81, further proceedings 114. 115, 452, 539 541, substitute adopted 791.

18. Relating to hawkers and peddlers ; introduced and read 1st and 2nd time 81, further proceedings 177, 178, 179, 191, 192, 193, 354, 422, passed 423.

19. To legalize the acts of the town clerk and town treasurer in the town of Manchester, in Calumet county; and to extend the time of collecting taxes in said town ; introduced and read 1st and 2nd time 81, further proceedings 114, 120, passed 124, passed senate 133, approved 108.

20. To submit the question of bank or no bank ; introduced and read 1st and 2nd time 84, further proceedings 85, 159, 212, 213, 229, 230. 231, 313, 314, passed 315, passed senate 462, approved 591.

21. To amend an act entitled "an act providing for the sale of school section in the city of Racine ; introduced and read 1st and 2nd time 89, further proceedings 129, 135, passed 141, passed senate 168, approved 250.

22. To amend chap. 139, of title 33, of part 4, of the Revised Statutes ; introduced and read 1st and 2nd times 89. further proceedings 150, 176, passed 176, 177, passed senate 206, approved 262.

23. To amend chap. 19, of title 8, part 1st, of the Revised

Statutes ; introduced and read 1st and 2nd times 89, further proceedings 150, 151, 250, 277, passed 338, passed senate 521, approved 617.

24. To amend chap. 11 of the Revised Statutes ; introduced and read 1st and 2nd times 89, further proceedings 173, 190, substitute adopted 211, 212, further proceedings 227, 228, 229, 239, 240, passed, senate 287, approved 401.

25. To incorporate the Wisconsin State Medical Society ; introduced and read 1st and 2nd times 89, further proceedings 150, 639.

26. To legalize the highway tax for the year 1850, in the town of Wayne, Washington county ; introduced and read 1st and 2nd times 89, further proceedings 141, 142, passed 142,

27. To extend the time for collecting taxes in the town of Brooklyn, Sauk county ; introduced and read 1st and 2nd times 93, further proceedings 141, 142, passed 142, approved 250.

28. To incorporate the Milwaukee and Humboldt Plank Road Company : introduced and read first and second times 93. further proceedings 267, 268, 288, passed 358, passed senate 402, approved 496.

29. To pay F. P. Catlin, the sum therein named : introduced and read 1st and 2nd times 93, further proceedings 141, 142, passed 149, passed senate 177, approved 262.

30. To pay John F. Lessey the sum therein named : introduced and read 1st and 2nd times, further proceedings 103, 157, passed 210, passed senate 344, approved 436.

31. To declare Little River a navigable stream : introduced and read 1st and 2nd times 103, further proceedings 141, 142, 427, enacting clause stricken out 430.

32. To amend sec. 56. chap. 16, title 6, part 1, of the Revised Statutes : introduced and read first and second times 109, further proceedings 168. 169, 215, 216, 378, 428, passed 478, passed senate 567, approved 617.

33. To appropriate a sum of money to the persons therein named : introduced and read first and second times 111. further proceedings and passed 115, passed senate 119.

34. To repeal sections 33 and 34 of chap. 131, part 3, title 29, of the Revised Statutes . introduced and read 1st and 2nd times 111, further proceedings 150, postponed 215, further proceedings, 273, 343, passed 380.

35. To provide for the more speedy collection and payment of fines, forfeitures and penalties remaining in the hands of justices of the peace : introduced and read 1st and 2nd times 111, further proceedings 157, passed 241, passed senate 323, approved 436.
36. To amend an act entitled an act to authorize Eliphalet S. Miner and H. Clinton to improve the navigation of the Grand Rapids in the Wisconsin River, approved Jan. 29, 1847 ; introduced and read 1st and 2nd times 112, further proceedings 188, passed 241, passed senate 268, approved 401.
37. To repeal chap. 86, title 27, of the Revised Statutes : introduced and read first and second times 112, further proceedings 150, 173, 359, passed senate 578, vetoed 633, 634, 635.
38. Relating to the assessment and taxation of personal and real property : introduced and read 1st and 2nd times 112, further proceedings 243, 381, 463, 464, 465, passed 466, 467, passed senate 757.
39. To change the name of Sarah Dyer to Sarah Whiting : introduced and read 1st and 2nd times 112, further proceedings and passed 149, passed senate 177, approved 262.
40. To set apart and incorporate the county of Oconto : introduced and read 1st and 2nd times 112, further proceedings 150, passed 168, passed senate 201.
41. To appropriate to I. B. Brunson the sum therein named : introduced and read 1st and 2nd times 112, further proceedings 141, 142.
42. To divide Crawford county and organize the counties of Bad Axe and La Crosse—introduced and read 1st and 2nd times 112, further proceedings 188, passed 210, passed senate 389, approved 537.
43. To establish the pay of Sergeant-at-arms and others in their employ—introduced and read 1st and 2nd times 112, further proceedings 213.
44. To provide for the labor of prisoners—introduced and read 1st and 2nd times 112, further proceedings 188, enacting clause stricken out 231.
45. To provide for making returns of the elections in towns to the Clerk of the Board of Supervisors of the county —introduced and read 1st and 2nd times 118, further proceedings 200, 201, passed 241, passed senate . 268, approved 323.
46. To provide for the location of the county seat of Marquette county—introduced and read 1st and 2nd times 118, further proceedings 206, withdrawn 207.

47. To change the course and width of Second Street in the village of Whitewater—introduced and read 1st and 2nd times 118, further proceedings 190, passed 210, passed senate 252, approved 290.

48. To extend the time for collecting taxes in the town of Hazle Green, Grant county—introduced and read 1st and 2nd times 119, further proceedings and passed 123, passed senate 133, approved 185.

49. To appropriate to Alonzo Higly the sum therein named—introduced and read 1st and 2nd times 119, further proceedings, 121, passed 122, passed senate 132, approved 185.

50. To appropriate to King & Fuller the sum therein named—introduced and read 1st and 2nd times 119, further proceedings 190, passed 210, passed senate 252, approved 290.

51. To amend an act to provide a block of marble to be placed in the National Monument at the city of Washington—introduced and read 1st and 2nd times 121, further proceedings 121, 133, 141, 142, passed 149, passed senate 177, approved 262.

52. To incorporate the Packwaukee bridge company—introduced and read 1st and 2nd times 121, further proceedings 190, passed 241, passed senate 275, approved 479.

53. To amend an act entitled an act to incorporate the Racine and Rock River plank road company, approved March 6, 1848—introduced and read 1st and 2nd times 123, further proceedings 182, 200, 201, passed 241, passed senate 274, approved 323.

54. To remit the interest in canal bonds and mortgages therein mentioned—introduced and read 1st and 2nd times,— further proceedings 158, 287, 334, 338, passed 785.

55. To amend an act entitled an act to incorporate the city of Racine in the county of Racine—introduced and read first and second times 128, further proceedings 128, 158, 359, passed 380, passed senate 402, approved 537.

56. For the assessment and collection of taxes in the town and county of Marathon—introduced and read 1st and 2nd times 128, further proceedings 213, 214, passed 241, passed senate 268, approved 323.

57. To authorize J. H. Dart to build and maintain a bridge across Fox river—introduced and read 1st and 2nd times 128, further proceedings 200, 201, passed 227.

58. To amenb sec. 9, chap. 131, of title 29, part 3, of the

Revised Statutes—introduced and read 1st and 2nd times 128, further proceedings 200, 201, passed 241,

59. Making an appropriation for the payment of canal bond no. 54—introduced and read 1st and 2nd times 138, further proceedings 158, passed 286, passed senate 316, approved 379.

60. Making an appropriation for the payment of canal bonds nos. 55, and 56—introduced and read 1st and 2nd times 138, further proceedings 158, passed 286, 287, passed senate 316, appproved 379.

61. Granting to Robert G. Hart and E. H, Erwin a right to keep and maintain a ferry across the Wisconsin river—introduced and read first and second times 138, further proceedings 165, 342, passed 380.

62. To incorporate the Madison Mutual Insurance Company—introduced and read first and second timea 136, further proceedings 113, 277, 386, 428, lost 430.

63. To amend chap. 82, of Revised Statutes—introduced and read first and second times 139, further proceedings 243, 273, 342, passed 367.

64. To amend the act incorporating the Sheboygan and Mayville plank road company—introduced and read first and second times 140, further proceedings 200, 201, passed 241, passed senate 431, approved 496.

65. To appropriate to A. G. Lull a certain sum of money—introduced and read first and second times 143, further proceedings 165, 343, passed 367, passed senate 389, approved 790.

66. To appropriate to A. G. Lull a certain sum of money—introduced and read first and second times, 143, further proceedings, 165 passed 347, passed senate 660.

67. To appropriate to Ira Gates the sum therein named—introduced and read first and second times 143, further proceedings 366, 428, passed 479, passed senate 6 5.

68. To appropriate to Fratney & Herzberg the sum of $50—introduced and read first and second times 144, further proceedings 200, 201, 227, 481, passed 493, passed senatc 660, approved 790.

69. To change the name of the town of Olio, Sheboygan county—introduced and read first and second times 144, further proceedings 200, 201, passed 227, passed senate 269, approved 290.

70. To extend the time for the collection of taxes in the town of Green Lake, Marquette county—introduced and read first and second times 146, further proceedings 146, passed 146, passed senate 177, approved 262.

71. Authorizing the sale of the unsold odd numbered sections of the Milwaukee and Rock River canal grant, for the use of schools—introduced and read first and second times 147, further proceedings 184, 359, passed 400, passed senate 462.

72. To authorize the construction of a dam across the Milwaukee river—introduced and read first and second times 147, further proceedings 165, 255, passed 286, passed senate 316, approved 379.

73. To authorize A. B. Carpenter to build a dam across Sugar River—introduced and read first and second times 147, further proceedings 165, 342, 345, passed 367, passed senate 402, approved 536.

74. In relation to insurance on lives and for the benefit of married women and other persons—introduced and read first and second times 147, further proceedings 358, 428, passed 479, passed senate 578, approved 617.

75. To regulate the distribution of the income of the school fund—introduced and read first and second times 147, further proceedings 157, 255, passed 257, passed senate 274, approved 296.

76 To amend chap. 88, of the Revised Statutes—introduced and read first and second times 147.

77. To incorporate the Nemabin and Pine Lake plank road company—introduced and read first and second times 147, further proceedings 165, 368, 369.

78. To incorporate the village of Manitowoc—introduced and read first and second times 147, further proceedings 189, 343, passed 424, passed senate 480, approved 617.

79. Relative to the release of one or more joint debtors—introduced and read first and second times 155, further proceedings 173, 277, 288, 334, 341, 666, passed 779, passed senate 782, approved 807.

80. To amend an act entitled an act to incorporate the Winnebago and Fox river road company—introduced and read first and second times 155, further proceedings 174, 256, passed 286, passed senate 316, approved 579.

81. Relating to jurisdiction of justices of the peace—introduced and read first and second times 156, further proceedings 322, 428.

82. To extend the time for collecting taxes in the town of Pleasant Spring, Dane county—introduced and read first and second times 156, further proceedings 273, 342, passed 367, passed senate 421, approved 496,

83. To amend an act authorizing the laying out of a state road from Madison to Sheboygan—introduced and read first and second times 156, further proceedings 174, 256, passed 286, passed senate 316, approved 379.

84. Providing that lands sold for taxes and not redeemed in time, as specified by law, shall be sold by a decree of county or circuit courts—introduced and read first and second times 156, further proceedings 358, 366, 440, enacting clause stricken out 441.

85. To prevent the killing of deer in certain months of the year—introduced and read 1st and 2d times 156, further proceedings 256, 257, 294, 368, passed 400, passed senate 462, approved 656.

86. To legalize the organization and acts of school district No. 2, in the town of Newark in Rock county—introduced and read 1st and 2d times 156, further proceedings 266, passed —, passed senate 389, approved 496.

87. To legalize the organization and acts of school district No. 4, in the town of Plymouth, Rock county—introduced and read 1st and 2d times 156, further proceedings 267, passed 330, passed senate 389, approved 496.

88. To appropriate to A. F. Pratt the sum therein named—introduced and read 1st and 2d times 158, further proceedings.

89. To appropriate to H. Van Dusen the sum therein named—introduced and read 1st and 2d times 158, further proceedings 267, passed, 330, passed senate 480, approved 537.

90. To provide for the time of holding county courts in the county of Kenosha—introduced and read 1st and 2d times 164, further proceedings 267, passed 330, passed senate 371.

91. To appropriate to D. E. Wood the sum therein named—introduced and read 1st and 2d times 164, further proceedings 183, 193, passed 194, passed senate 216.

92. To declare certain roads in the town of Watertown lawful highways—introduced and read 1st and 2d times 165, further proceedings, 173, 207, 343, passed 380, passed senate 402, approved 536.

93. To incorporate the Watertown, Hubbleville and Portland plank and turnpike road company—introduced and read 1st and 2d times 165, further proceedings 197, 441.

94. To incorporate the Female Normal Institute and High School at Milwaukie—introduced and read 1st and 2d

times 165, further proceedings 183, 343, passed 380, passed senate 461, approved 537.

95. Relating to militia—introduced and read 1st and 2d times 165, further proceedings 444, passed 573 passed senate 578, approved 690.

96. To provide for laying out and establishing the several state roads therein named—introduced and read 1st and 2d times 166, further proceedings 347, 365, 440, 441, passed 492, passed senate 528.

97. To lay out a state road from the junction of the Madison and Verona state road to Wiota—introduced and read 1st and 2d times 166, further proceedings 440, passed 492, passed senate 595, approved 688.

98. To vacate a part of a state road therein named—introduced and read 1st and 2d times 166, further proceedings —, passed 492.

99. For the relief of persons commonly called 7th day Baptists—introduced and read 1st and 2d times 171, further proceedings 184, 185, 497, 513, 632, passed 648, passed senate 715, approved 806.

100. To amend an act entitled "an act to lay out a state road from Green Bay, in Brown county, to Warsaw in Portage county," approved Feb. 9, A. D. 1850—introduced and read 1st and 2d time 171, further proceedings 207, 446, 447, passed 492.

101. To incorporate the Cassville and Dodgeville rail road company—introduced and read 1st and 2d times 171, further proceedings 191, 343, 345, passed 367.

102. To lay out a state road from the village of Madison, in the county of Dane, to the $\frac{1}{4}$ stake in section No. 36, town No. 9, north of range No. 2, east, in the county of Richland—introduced and read 1st and 2d times 171 further proceedings 224, 343, 446, passed 496, passed senate 595, approved 690.

103. To provide for the survey and sale of certain lands in the town of Winnebago—introduced and read 1st and 2d times 172, further proceedings 321, 404, 418, 453, 535.

104. To authorize J. and G. Tomlinson to construct a Mill race in the village of Port Washington—introduced and read 1st and 2d times 175, further proceedings 267 passed 330, passed the senate 371, approved 496.

105. To provide for laying out a state road from Token Creek to Fort Winnebago—introduced and read 1st and 2d times 175, further proceedings 267, passed 330, passed senate 371, approved 436.

106. To lay out and estsblish a state road therein described —introduced and read 1st and 2d times 175, further proceedings 267, passed 330. passed senate 371, approved 496.

107. Appropriating money to certain persons therein named —introduced and read 1st and 2d times 175, further proceedings 273, 446, passed 769.

108. To purchase 100 copies of the Reports of Supreme Court of the territory of Wisconsin—introduced and read 1st and 2d times 182, further proceedings 358, 446, passed 493.

109. To provide for repairing bridges across Rock River, in the county of Rock, and for other purposes therein mentioned—introduced and read 1st and 2d times 182; further proceedings 224, 446; enacting clause stricken out 447.

110. To appropriate funds for the benefit of Institution for the Blind—introduced and read 1st and 2d times 182; further proceedings 419, 516, 517, 617, 624; passed 649, passed senate 174; approved 805.

111. For the prevention and punishment of immorality and disorderly practices—introduced and read 1st and 2d times 182; further proceedings 222, 516, 517; passed 553.

112. To incorporate the Palmyra and Jefferson Plank Road Company—introduced and read 1st and 2d times 182; further proceedings 222, 446; phssed 513; passed senate 567; approved 688.

113. Licensing the sale of intoxicating liquors—introduced and read 1st and 2d times 182; further proceedings 286, 446, 447, 448, 480, 493, 494, 495, passed 513, passed senate 567, approved 657.

114. To appropriate to Jas. Campbell the sum therein named —introduced and read 1st and 2d times 183, further proceedings 511, 632, passed 648, passed senate 752.

115. To appropriate to Alexander Mitchel a certain sum of money therein named—introduced and read 1st and 2d times 183, further proceedings 481, passed 532, passed senate 594, approved 656.

116. To appropriate to A. Mitchell a certain sum of money therein named—introduced and read 1st and 2d times 183, further proceedings 481, passed 533, passed senate 594, approved 636.

117. To authorize Henry J. Elliott and his associates to build and maintain a bridge across the Fox river at Delhi, in the county of Winebago—introduced and read 1st and 2d times 183, further proceedings 482, passed 532, passed senate 596, approved 805.

118. A bill in relation to state roads—introduced and rea 1st and 2d times 183, 184, further proceedings 452 passed 532, passed senate 594, approved 790.
119. To incorporate the Lafayette County Academy—introduced and read 1st and 2d times 184, further proceedings 482, passed 532.
120. For the division of the county of Grant, and the erection of the county of Platte—introduced and read 1st and 2d times 185.
121. To extend the eastern boundary of Portage county—introduced and read 1st and 2d times 197, further proceedings 295, 343, passed 380, passed senate 402, approved 496.
122. To exempt certain persons from paying a poll tax—introduced and read 1st and 2d times 197, further proceedings 482, passed 532, passed senate 612, approved 725.
123. To amend an act entitled "an act to incorporate the Wisconsin bridge company—introduced and read 1st and 2d times 197, further proceedings 332, passed 358, passed senate 389, approved 496.
124. To authorize the construction of a dam across the Rekatonica river in Lafayette County—introduced and read 1st and 2d times 198, further proceedings 249, 481, passed 532, passed senate 612.
125. To provide for the erection and location of a State prison—introduced and read 1st and 2d times 205, further proceedings 262, 481, 561, passed 576, approved 790.
126. Submitting the question of extension of the rights of Suffrage to a vote of the people—introduced and read 1st and 2d times 205, further proceedings 367, 481.
127. For the relief of the town of Pleasant Spring, in the county of Dane—introduced and read 1st and 2d times 206, further proceedings 482, passed 532, passed senate 611, approved 690.
128. To appropriate to J. Quintus the sum therein named—introduced and read 1st and 2d times 206, further proceedings 482, passed 533, passed senate 611, approved 690.
129. To appropriate to A. F. Pratt the sum therein named—introduced and read 1st and 2d time 206, further proceedings 368, 369, 389, 390, 391, passed 392, passed senate 620, approved 690.
130. To appropriate to Ole Torgerson the sum therein named—introduced and read 1st and 2d times 206, further proceedings 343, passed 380, 381, passed senate 421, approved 496.

131. To appropriate to James P. Whitney the sum therein named—introduced and read 1st and 2d times 206, passed 577, passed senate 611, approved 690.
132. To appropriate to I. B. Bronson the sum therein named—introduced and read 1st and 2d times 206, further proceedings 343, 345, passed 367, passed senate 612.
133. To appropriate to I. B. Bronson the sum therein named—introduced and read 1st and 2d times 206, further proceedings 368, passed —, passed senate 462, approved 537.
134. To lay out and open a state road from Depere, in Brown county to Willow river in St. Croix county—introduced and read 1st and 2d times 220, further proceedings 282, 329, 342, 358, 490, 539, 540, passed senate 660.
135. To incorporate the Beloit and Fort Winebago rail road company—introduced and read 1st and 2d times 220.
136. To attach a portion of Brown county to the county of Winebago—introduced and read 1st and 2d times 220, further proceedings 337, withdrawn from file 331.
137. To incorporate the Port Washington and Fon du Lac plank road company—introduced and read 1st and 2d times 220, further proceedings 249, 662, 672, passed 742, passed senate 774, approved 807.
138. For laying out a State road in the county of Dodge—introduced and read 1st and 2d times 220, further proceedings 282, 482, passed senate 595, approved 689.
139. For laying out a state road therein described—introduced and read 1st and 2d times 221, further proceedings 282, 482, passed senate 595, approved 688.
140. To change the name of Sarah Rape to Sarah Vroman—introduced and read 1st and 2d times 221, further proceedings 273, passed 367, passed senate 421, approved 496.
141. Granting to John Combs and Thomas Andrews the right to keep and maintain a ferry across the Wisconsin river, in the town of Richwood in the county of Richland—introduced and read 1st and 2d times 221, further proceedings 249, 282, 482, passed senate 613, approved 689.
142. To incorparate the Manitouwoc and Mississippi railroad company—introduced and read 1st and 2d times 221, further proceedings 249, 632, passed 682, passed senate 715, approved 805.
143. To legalize the organization and acts of school district No. 4, in the town of Grand Chute, in the county of Brown, and to change the name of the same—introduced and read 1st and 2d times 223, further proceedings 341, passed 342.

144. For the relief of the town of Depere, in the county of Brown—introduced and read 1st and 2d times 223, passed senate 310, approved 401.
145. To provide for laying out and establishing several state roads therein named—introduced and read 1st and 2d times 224, further proceedings 482, passed senate 595, approved 656.
146. To divide the counties of Iowa and Grant, and to establish the county of Franklin—introduced and read first and second times 224, further proceedings 625.
147. To appropriate the several sums therein named—introduced and read first and second times 234, further proceedings 240, passed 240, passed senate 257, approved 290.
148. Relating to the sale of mortgaged premises—introduced and read first and second times 238, further proceedings 273, 482, 484, passed 557.
149. To provide for the election of county treasurers—introduced and read first and second times 245.
150. For the relief of Sheboygan county—introduced and read first and second times 240, further proceedings 411, 482, passed 554, passed senate 613, approved 689.
151. To change the time for making assessments and collection of taxes in the county of Portage—introduced and read 1st and 2d times 248, further proceedings 322, 516, 517, passed 553, passed senate 612, approved 725.
152. To lay out and establish a certain road therein named—introduced and read first and second times 248, further proceedings 482, passed 557, passed senate 595, approved 656.
153. To authorize the laying out of a state road therein named—introduced and read first and second times 248, further proceedings 282, 481, passed 557, passed senate 595, approved 689.
154. To authorize the laying out of a state road therein named—introduced and read first and second times 248, further proceedings 282, 482, passed 557, passed senate 595, approved 689.
155. To incorporate the Milwaukie and Lisbon plank road a turnpike company—introduced and read first and second times 248, further proceedings 262, 481, passed 513, approved 725.
156. To amend Sec. 70, Chap. 16 of Title 6 of Revised Statutes—introduced and read first and second times 248, further proceedings 359, enacting clause stricken out 485.

157. To amend an act concerning the fees of certain officers and other persons—introduced and read first and second times 248, further proceedings 474, 539, 577, passed 648, passed senate 751.

158. To abolish flogging in schools—introduced and read first and second times 248, further proceedings 658, 705, 708.

159. To vacate certain lots in the village of Saukville, Washington county—introduced and read first and second times 248, further proceedings 249, passed 249, passed senate 274, approved 379.

160. To protect prairie chickens and quails—introduced and read first and second times 258, further proceedings 320, 632, 655, 656, passed 713, passed senate 751, approved 807.

161. To change the name of the town of Ceresco in the county of Fon du Lac—introduced and read first and second times 258, further proceedings 368, rejected 369.

162. To provide for the election of county treasurers—introduced and read 1st and 2d times 260, further proceedings 474, 539, passed 576, passed senate 631, approved 689.

163. To attach certain territory therein named to the town of Bloomingdale—int. and read 1st and 2d times 260, further proceedings 322, 337, 338, 481, passed 557, passed senate 611, approved 689.

163. To amend sec. 1, of chap. 43, of the Revised Statutes —introduced and read 1st and 2d times 261, further proceedings 338, 497, 557.

165. To amend sec. 16, chap. 134, title 30, part 4, of Revised Statutes—introduced and read 1st and 2d times 261, further proceedings 322, 497, 499, passed 558, passed senate 613, approved 690.

166. To amend the charter of the Rock River Valley Union rail road company—introduced and read 1st and 2d times 271, further proceedings 285, 369, 501, passed 576, passed senate 612, approved 688.

167. To authorize the laying out of a state road in Marquette and Brown counties—introduced and read 1st and 2d times, further proceedings and passed 271, passed senate 316.

168. In relation to the improvement of the Capitol—introduced and read 1st and 2d times 272, further proceedings 285, 370, 372, 542, 587, 617, 620, passed 648, passed senate 751, vetoed 808, reconsidered and lost 811, 812.

169. To amend an act entitled "an act to provide for the construction of the Lisbon and Milwaukie plank road, from Watertown to Madison," passed March 1, 1848—introduced and read 1st and 2d times 272, further proceedings 293, 499, 502, 529, 662, enacting clause stricken out 663.

170. Concerning sales for taxes—introduced and read 1st and 2d times 272, further proceedings 662, 663, 672, lost 676, reconsidered 679, further proceedings 679, passed 713, passed senate 751, approved 807.

171. To provide for the appraisal and sale of University lands, and granting pre-emptions thereon—introduced and read 1st and 2d times 272, further proceedings 370, 372, passed 400, passed senate 538, vetoed 641, lost 644.

172. To prohibit the sale of intoxicating drinks—introduced and read 1st and 2d times 272, further proceedings 272 662.

173. To incorporate and set apart the county of Waushara—introduced and read 1st and 2d times 281, further proceedings and passed 290, passed senate 316, approved 379.

174. To levy a tax on dogs—introduced and read 1st and 2d times 281, further proceedings 585, 589, lost 648, reconsidered and passed 654, passed senate 775.

175. For laying out a state road in the county of Marquette and Winnebago—introduced and read 1st and 2d times 281, further proceedings 499, passed 551, passed senate 613, approved 689.

176. To authorize the construction of a bridge across Wolf river at Winneconna—introduced and read 1st and 2d times 281, further proceedings 516, 517, passed 553, passed 660, approved 806.

177. To establish a certain road therein named—introduced and read 1st and 2d times 285, further proceedings, 500 passed 553.

178. To authorize the draining or lowering of North Lake in the town of Merton, county of Waukesha—introduced and read 1st and 2d times 293, further proceedings 419, 516, 518, passed 553, approved 804.

179. To appropriate to John C. Lewis, treasurer of Dodge county, the sum therein named—introduced and read 1st and 2d times 293, further proceedings 528, 632, passed 633, passed senate 701, approved 805.

180. To authorize Henry Thien and his associates to build a dam across the Milwaukie river—introduced and read 1st and 2d times 293, further proceedings 321, 516, 518, passed 553, passed senate 613, approved 725.

181. To authorize the draining and lowering of North Lake in the town of Merton, county of Waukesha—introduced and read fist and second times 293. further proceedings 305, 500, passed 553, passed senate 613.

182. To establish an agricultural department in the University of Wisconsin—introduced and read first and second times 294, further proceedings 355, 516, 517, passed 554.

183. To authorize the construction of a dam across the outlet of Long Pond in Fond du Lac county—introduced and read 1st and 2nd times 295, further proceedings — passed 553, approved 689.

184 To provide for the laying out of a state road therein named—introduced and read 1st and 2nd times 295, further proceedings 500, 502, 519, 535, passed 576, passed senate 685, approved 790.

185. To authorize the treasurer of school district no. 5 in the town of Richfield, in the county of Washington to collect the delinquent taxes therein—introduced and read 1st and 2nd times 295, further proceedings 500, passed 557, passed senate 612, approved 690.

186. To protect plank, gravel, charcoal, and McAdamized roads in the state of Wisconsin—introduced and read 1st and 2nd times 299, further proceedings 355, 500, 577.

187. To incorporate the North Western Art Union—introduced and read 1st and 2nd times 299, further proceedings 321, 484, passed 616, passed senate 685, approved 805.

188. To amend an act entitled "an act to incorporate the village of Sheboygan—introduced and read 1st and 2nd times 301, further proceedings 321, 329, passed 329, passed senate 371, approved 433.

189. To amend chap. 12, of title 14, of the Revised Statutes—introduced and read 1st and 2nd times 304, further proceedings 452, 585.

190. To pay V. French the sum therein named—introduced and read 1st and 2nd times 304.

191. For the relief of the town of Green Bay—introduced and read 1st and 2nd times, further proceedings 321 516. 517, passed 553. passed senate 613, approved 805.

192. To grant to the Neenah and Manitowoc plank road company the right of way through the state lands—introduced and read 1st and 2nd times 304, further proceedings 321, 500, passed 576, passed senate 686.

193. To pay C. L. Sholes the sum therein named—intro-

duced and read 1st and 2nd times 304, further proceedings 485, 546, lost 546, 547.

194. For the relief of the town of Alto—introduced and read 1st and 2nd times 305, further proceedings 500, passed 553, passed senate 612, approved 688.

195. To lay out a certain state road therein named—introduced and read 1st and 2nd times 319, further proceedings and passed 319, passed senate 521, approved 660.

196. Providing for the removal and location of the seat of justice in the county of Racine—introduced and read 1st and 2nd times 319.

197. To authorize the construction of a boom across Wolf river; introduced and read 1st and 2nd times 319, further proceedings 472, 584, enacting clause stricken out 587, again taken up 736, further proceedings 736, 753, passed senate 778,

198. To amend chap. 192, of the session laws of 1850, entitled "an act to amend the law concerning county courts," approved Feb. 9, 1850; introduced and read 1st and 2nd times 319, further proceedings 328, 500, 503.

199. To provide for the apportionment of school money by town superintendents in towns bordering on the south line of the State—introduced and read 1st and 2nd times 321, further proceedings 516, 517, passed 553, passed senate 612, vetoed 732, 733, reconsidered and lost 733.

200. To authorize Thomas J. Townsend to keep a ferry across Fox river—introduced and read 1st and 2nd times 327, further proceedings 355, 500, passed 576, passed senate 686, approved 805.

201. Providing for the division of Marquette county, and the erection of the county of Menomenee—introduced and read 1st and 2nd times 327, further proceedings 386, 499, enacting clause stricken out 501.

202. To incorporate the Portage bridge company—introduced and read 1st and 2nd times 327, further proceedings 500, passed — passed senate 684, approved 806.

203. To lay out a state road therein named—introduced and read 1st and 2nd times 327, further proceedings 355, 500, passed 576, passed senate 685, approved 689.

204. To amend an act entitled "an act authorizing Hugh McFarlane and Robert V. Allen to build a bridge across the Wisconsin river—introduced and read 1st and 2nd times 327, further proceedings 355, 500, passed 576, passed senate 686.

205. To extend the limits of the town of Rushford in the county of Winnebago—introduced and read 1st and 2nd times 327, further proceedings 337, 500, passed 576, passed senate 686, approved 806.

206. To amend sec. 8, chap. 5, of the Revised Statutes—introduced and read 1st and 2nd times 327, further proceedings 358, 500, passed 553, passed senate 612, approved 725.

207. To incorporate the Richland city bridge company in Richland county—introduced and read 1st and 2nd times 327, further proceedings 472, 516, 517, 518, 535, passed 593, passed senate 611, approved 804.

208. To alter the boundary lines of the towns of Center, Fayette and Wiota in the county of Lafayette—introduced and read 1st and 2nd times 328, further proceedings and passed 329, approved 436.

209. To authorize a tax to build a school house—introduced and read 1st and 2nd times 336, further proceedings 419, 516, 517, passed senate 788.

210. To amend an act entitled "an act to provide for the continuation of the Lisbon and Milwaukee plank road to Watertown and Madison : introduced and read 1st and 2nd times 337, further proceedings 365, 404, passed, passed senate 461, approved 537.

211. To confer certain powers upon organized school districts, and for other purposes ; introduced and read 1st and 2nd times 337, further proceedings 516, 517, passed 558, passed senate 612, approved 688.

212. To establish the Cascade Academy ; introduced and read 1st and 2nd times 337, further proceedings 516, 517, passed 583, passed senate 611, approved 689.

213. To provide for the fees of sheriffs ; introduced and read 1st and 2nd times 346, further proceedings 387, 500, 639, 645. 655, passed 711, passed senate 751, approved 806.

214. To pay William H. Howard the sum therein named ; introduced and read 1st and 2nd times 349, further proceedings 350, 387, 500, 542, 574, passed 593, approved 805.

215. To vacate a part of the town plat of the village of Oshkosh, and to legalize a subsequent survey : introduced and read 1st and 2nd times 359, further proceedings 500, passed 576, passed senate 686, approved 804.

216. To permit certain animals to run at large ; introduced and read 1st and 2nd times 350, further proceedings 500, 514, passed 578, passed senate 630.

217. Declaring a certain road in the village of Hazle Green a public highway : introduced and read 1st and 2nd times 350, further proceedings 378, 501, 572, passed 593, passed senate 634, approved 725.

218. To vacate a part of a street in the village of Port Washington ; introduced and read 1st and 2nd times 350, further proceedings, passed, passed senate 389, approved 496.

219. To appropriate to the counties of Marquette and St. Croix their proportion of the income of the school fund ; introduced and read 1st, 2nd and 3rd times and passed 351, passed senate 389, approved 497.

220. To lay out a state road from the village of Franklin in Iowa county to the village of Adams in Sauk county ; introduced and read 1st and 2nd times 351.

221. To submit the question of a division of Grant county to a vote of the people ; introduced and read 1st and 2nd times 351 further proceedings 490, 584, 597, 617, passed 649, reconsidered and again passed 658, 659.

222. To authorize Ebenezer Dakin to build a dam across White river ; introduced and read 1st and 2nd times 351, further proceedings 418, 516, 517, passed 553, passed senate 611, approved 688.

223. To legalize the acts of school district no. 4 in the town of Ottawa ; introduced and read 1st and 2nd times 351, further proceedings 387, 501, lost 515.

224. To apppropriate to Albert G. Ellis the sum therein named ; introduced and read 1st and 2nd times 351, further proceedings 355, passed 356, 357, passed senate 389, approved 596.

225. To provide for laying out and establishing certain roads therein named , introduced and read 1st and second times 355, further proceedings 501, passed 576, passed senate 684, approved 689.

226. To amend chap. 16, of the Revised Statutes relative to highways and bridges ; introduced and read 1st and 2nd times 355, further proceedings 499, 501, lost 592.

227. To amed chap. 70, of the Revised Statutes ; introduced and read 1st and 2nd times 359, passed 576, passed senate 631, approved 725.

228. To amend chap. 88, of the Revised Statutes ; introduced and read 1st and 2nd times 359, further proceedings 501, 578, 626, passed 648.

229. To amend sec. 26, chap. 131, of Revised Statutes ; introduced and read 1st and 2nd times 365, further proceedings 387, 522, enacting clause struck out 524, again taken up, amended and passed 771.

230. To amend part 1, title 3, chap. 10, sec. 28, of Revi-

sed Statutes, giving the county boards of Supervisors power to vacate towns; introduced and read 1st and 2nd times 365, further proceedings 398, 522, lost 525, again taken up 525, further proceedings 535, passed 593, passed senate 631.

231. To incorporate the North Western Rail road Company —introduced and read 1st and 2nd times 365.

232. To appropriate to Grant county the sum therein named; introduced and read 1st and 2nd times 365, further proceedings 388, passed 555, passed senate 612, approved 689.

233. To appropriate to V. French the sum therein named; introduced and read 1st and 2nd times 366, passed 555, passed senate 611, approved 690.

234. To appropriate to P. W. Matts the sum therein named; introduced and read 1st and 2nd times 366, passed 555, passed senate 660, approved 806.

235. To alter the boundaries of the town of Calumet, Fond du Lac county; introduced and read 1st and 2nd times 366, further proceedings 522, passed 593, passed senate 668.

236. To change the name of the town of Pike in Kenosha county to Somers; introduced and read 1st and 2nd times 366, further proceedings 522, passed 553, passed senate 612, approved 689.

237. To appropriate to H. H. Chapman therein named; introduced and read 1st and 2nd times 377, further proceedings 473, 584, enacting clause stricken out 586, again taken up 750, further proceedings 750, 751, 773, lost 774, reconsidered and lost 782.

238. To authorize the construction of a dam across the Baraboo river; introduced and read 1st and 2nd times 377, further proceedings 418, 584, passed 616, passed senate 752, approved 807.

239. To vacate a part of Lake street in the village of Port Washington; introduced and read 1st and 2nd times 377, further proceedings and passed 377, passed senate 402, approved 496.

240. For laying out a state road in the county of Marquette —introduced and read 1st and 2nd time 378, further proceedings, passed 553, passed senate 595, approved 689.

241. To provide for the superintendence of the state library; for the purchase of books for the same and for other purposes; introduced and read 1st and 2nd times 378, further proceedings 522, 559, passed 574, passed senate 668, approved 805.

242. To repeal an act entitled "an act to set apart and incorporate the county of Waushara," approved Feb. 15th, 1851 ; introduced and read 1st and 2nd times 378.
243. To remove the seat of government to Milwaukee : introduced and read 1st and 2nd times 385
244. Providing for the service of process and paper in courts of Record : introduced and read 1st and 2nd times 378, further proceedings 522, enacting clause stricken out 525.
245. For the relief of school district no. 2, in the town of Richmond in the county of Richland : introduced and read 1st and 2nd times 396, further proceedings 584,
246. To authorize the laying out of a state road therein named : introduced and read 1st and 2nd times 396, further proceedings 418, 517, 535, passed 553, passed senate 595, approved 690.
247. To establish a state journal of education : introduced and read 1st and 2nd times 396, further proceedings 419, 517, 518, 535, passed 556.
248. To amend an act entitled "an act to incorporate the Port Washington, Horicon and Beaver Dam Turnpike company," approved March 11, A. D. 1848 ; introduced and read 1st and 2nd times 396, further proceedings 472. 517, passed 553, passed senate 612, approved 688, 689.
249. To authorize the village of Sheboygan to borrow money ; introduced and read 1st and 2nd times 411, further proceedings 419, 517, passed 553, passed senate 613, approved 725.
250. For laying out a state road in the counties of Jefferson and Waukesha ; introduced and read 1st and 2nd times 411, further proceedings 418, 517, 535, passed 593, passed senate 613, approved 725.
251. To lay out a certain state road therein named ; introduced and read 1st and 2nd times 411.
252. To incorporate the Baraboo Navigation Improvement Company : introduced and read 1st and 2nd times 411. further proceedings 662, 667.
253. To vacate a part of a street in the village of Omro : introduced and read 1st and 2nd times 417, further proceedings 490, 517; passed 553, approved 689.
254. To amend sec. 12, of chapter 131, title 29 of the Revised Statutes : introduced and read 1st and 2d times 417, further proceedings 474, 522, 526.
255. To amend sec. 3, chap. 98, par. 3 tit. 22, of the Revised Statutes : introduced and read 1st and 2nd times 417, further proceedings 474, 522.

256. To authorize the citizens of the village of Waucoma to build a meeting house on the public square of said village : introduced and read 1st and 2nd times 417, further proceedings 433, 517, 518 , 535, passed 576, approved 790.

257. To authorize the people of school district composed of parts of the towns of Porter and Union, in the county of Rock, and part of the town of Dunkirk in the county of Dane, to build a school house on the public square in the village of Waucoma, in the town of Porter, introduced and read 1st and 2nd times 417, further proceedings 433, 522, passed 553, passed senate 612, approved 725.

258. Providing for the manner in which the fees of sheriffs shall be paid in certain cases : introduced and read 1st and 2nd times 417. further proceedings 523, 535, lost 578, reconsidered and passed 579, approved 725.

259. For the relief of the several counties of this state—introduced and read 1st and 2nd times 417, further proceedings 472, 523; passed 556, passed senate 715, approved 864.

260. To authorize the construction of a dam across the Manitowoc river—introduced and read 1st and 2nd times 417, further proceedings 523, passed 553, approved 689.

261. To authorize certain state roads therein named —introduced and read 1st and 2nd time 417, further proceedings 523, passed 553, passed senate 595, approved 689.

262. To authorize certain state roads therein named—introduced and read 1st and 2nd times 417, further proceedings 523, passed 553, passed senate 595, approved 690.

263. To establish a state road therein described—introduced and read 1st and 2nd times 417. further proceedings 523, passed 553 passed senate 595.

264. To amend sec. 58, of chap. 131, title 29, of the Revised Statutes—introduced and read 1st and 2nd times 433, further proceedings 474, 523, 535, passed 576. passed senate 631, approved 790.

265. For legalizing certain roads in the town of Kossuth in Columbia—introduced and read 1st and 2nd times 433, further proceedings 523, 632, passed 648.

266. To change the name of the town of Plymouth—introduced and read 1st and 2nd times 433, further proceedings 523, passed 553, passed senate 612, approved 688.

267, To amend chap. 102, of the Revised Statutes—introduced and read 1st and 2nd times 435, further proceedings 523, passed 553, approved 650.

268. To change the name of Catharine Kroeger to that of Catharine Stovecken, and to make her the heir-at-law of Bernhart Stovecken and Francisca Stovecken—introduced and read 1st and 2nd times 436, further proceedings 474, 523, passed 553.

269. To appoint certain commissioners therein named—introduced and read 1st and 2nd times 436, further proceedings 662, 677, passed 704, passed senate 751, approved 806.

270. To amend chap. 16, title 6, of the Revised Statutes—in'd'cd and read 1st and 2nd times 445, further proceedings 552, 662, lost 677, reconsidered 683, further proceedings 684, again lost 684.

271. To incorporate the Western Fire and Marine Insurance Company, of Grand Chute Outagamie county—introduced and read 1st and 2nd times 445, 446, further proceedings 473, 523.

272. To establish and organize a separate Supreme Court—introduced and read 1st and 2nd times 450, further proceedings 626, 662.

273. To incorporate the Rock River Insurance company—introduced and read 1st and 2nd times 450, further proceedings 490, 523, passed 553, passed senate 613, approved 690.

274. Regulating the fees of attorneys and solicitors—introduced and read 1st and 2nd times 451, further proceedings 512, 707, 718.

275. To incorporate the Strongsville Seminary—introduced and read 1st and 2nd times 451, further proceedings 490, 523, passed senate 595, approved 656.

276. Relating to the suppression of the sale of ardent spirits and submitting the question of dram drinking or no dram drinking to the people—introduced and read 1st and second times 451, further proceedings 475, 487, 606.

277. To permanently locate the county seat of Columbia county introduced and read 1st and 2nd times 452, further proceedings 539, passed 576, passed senate 686, approved 804.

278. To lay out and establish a state road therein named—introduced and read 1st and 2nd times 452, further proceedings 584.

279. To authorize the laying out of a state road therein named—introduced and read 1st and 2nd times 452, fur-

ther proceedings 523, passed senate 596, approved 689.

280. For a state road from Waupacca Falls, in Winnebago county, to Kewaunee in Brown county—introduced and read 1st and 2nd times 452, further proceedings 523, passed 535, passed senate 596.

281. To appropriate to Thomas Reynolds the sum therein named—introduced and read 1st and 2nd times 452, further proceedings 513, 536, 583, passed 593, passed senate 780, approved 807.

282. To promote agriculture, horticulture and the mechanic and household arts—introduced and read 1st and 2nd times 469, further proceedings 705, lost 771, indefinitely postponed 772.

283. To extend the right of appeal to the circuit court in certain cases—introduced and read first and second times 469, further proceedings 529, 703, 726.

284. To lay out and establish a state road therein named—introduced and read 1st and 2nd times 469, further proceedings 491, 523, passed senate 596,

285. To lay out and establish a state road therein described—introduced and read 1st and 2nd times 469, further proceedings 491, 524, passed senate 595, approved 656.

286. Supplementary to an act entitled "an act to set apart and incorporate the county of Waushara," approved Feb. 15, 1851—introduced and read 1st and 2nd times 469, further proceedings 491.

287. To appropriate a certain sum of money to Charles Weed—introduced and read 1st and 2nd times 473, further proceedings 524, passed 534, passed senate 613, approved 689.

288. Relating to the swamp lands—introduced and read 1st and 2nd times 473, further proceedings 585, passed 616, passed senate 685, approved 804.

289. To authorize contiguous school districts to associate together to establish and maintain academical schools—introduced and read 1st and 2nd times 475, further proceedings 524, passed 553, passed senate 685.

290. To authorize the electors of the county of Lafayette to vote on the removal of the county seat of said county—introduced and read 1st and 2nd times 487, further proceedings 575, 662, 677, lost 700, reconsidered 728, further proceedings 728, 773, passed 773.

291. To authorize the collection and return of taxes in the town of Willow Springs in Lafayette county—introduced and read 1st and 2nd times 487, further proceedings 552, passed 682, passed senate 715.

292. To appropriate to C. H. McLaughlin the sum therein named—introduced and read 1st and 2nd times 487, further proceedings 528.

293. To appropriate the attorney general the sum therein named—introduced and read 1st and 2nd times 487.

294. Relative to the payment of notes or other evidences of debt, where no place of payment is fixed in the note or other evidence of debt, and where the debtor or payee is unable to ascertain the person who is the owner of the note or other evidence of debt—introduced and read 1st and 2nd times 487, further proceedings 529, 584, 590, passed 648.

295. To legalize a state road therein named—introduced and read 1st and 2nd times 487, further proceedings 705, 716, passed 741.

296. To legalize the acts of town superintendent of the town of Concord—introduced and read 1st and second times 488, further proceedings 590, passed, passed senate 752.

297. To save the state annually $100,000 by amending sec. 4 and sec. 11, of title 4, of the Constitution to elect members of assembly once in two years, and the legislature to meet once in two years—introduced and read 1st and 2nd times 488, further proceedings 589, lost 589.

298. In relation to smelters—introduced and read 1st and 2nd times 489, further proceedings 524, passed 553, passed senate 612, approved 689.

299. Providing for the apportionment of the members of the senate and assembly—introduced and read 1st and 2nd times 489, further proceedings 590, 602, 603, passed 604.

300. Granting to Henry Kingsbury the right to keep and maintain a ferry across the Wisconsin river at the Lone Rock in the county of Adams—introduced and read 1st and 2nd times 490, further proceedings 584, passed 616, passed senate 685, approved 805.

301. To authorize George Stevens and others to improve the Little Bull Falls on Wisconsin River, and repeal an act approved Feb. 9, 1850—introduced and read Ist and 2nd times 490, further proceedings 554. passed 670, passed senate 752, approved 805.

302. Authorizing the construction of a bridge across Fox river at Twiggs' Landing—introduced and read 1st and 2nd times 491, further proceedings 585, passed 616.

303. Appropriating to Darwin Clark the sum therein named—introduced and read 1st and 2nd times 491, further proceedings 584, passed 616, approved 805.

304. To appropriate to the county of Rock the sum therein named—introduced and read 1st and 2nd times 491, further proceedings 585, passed 616, passed senate 715l approved 804.

305. Concerning applications to the legislature—introduced and read 1st and 2nd times 491, further proceedings 666, 705, 723, 723.

306. Defining the western boundary of Columbia county—introduced and read 1st and 2nd times 492, further proceedings 574, 705, lost 720

307. Appropriating to H. Sadd the sum therein named—introduced and read 1st and 2nd times 492, further proceedings 606, 705, 716, passed 743, passed senate 780, approved 806.

308. To amend an act entitled "an act to provide for the improvement of the Fox and Wisconsin river and connecting the same by canal—introduced and read 1st and 2nd times 498, further proceedings 705, 716, passed 744.

309. To amend an act entitled "an act to divide the county of Crawford and create the counties of Bad Ax and La Crosse—introduced and read 1st, 2nd and third times and passed 498, 499, passed senate 501, approved 537.

310. To incorporate the Wisconsin Manufacturing Company of Grand Chute—introduced and read 1st and 2nd times 504, further proceedings 629, 705, 716, passed 744.

311. To vacate a part of the plat of the village of Sheboygan—introduced and read 1st and and 2nd times 505, further proceedings 606, 616, 721.

312. To legalize a state road in the county of Jefferson and Waukesha—introduced and read 1st and 2nd times 505, further proceedings 513, passed 519, approved 591.

313. To provide for raising a tax in Union School District composed of districts no, 5, 7, and 8, in the towns of Porter, Union and Dunkirk—introduced and read 1st and 2nd times 506, further proceedings 585, passed passed 616, passed senate 685, approved 804.

314. For the relief of school district no. 4, of the towns of Janesville and Harmony in Rock county—introduced and read 1st and 2nd times 506, further proceedings 585, passed, passed senate 685, approved 805.

315. To legalize certain acts of the district board of school district no. 9, in the town of Eagle, Waukesha county—introduced and read 1st and 2nd times 506, further

proceedings 627, passed 628, passed senate 685, approved 805.

316. To provide for the payment of indebtedness to the school fund—introduced and read 1st and 2nd times 507, further proceedings 708, 726, passed 769.

317. To amend chap. 102, of the Revised Statutes—introduced and read 1st and 2nd times 507.

318. To appropriate to King & Fuller a certain sum of money therein named—introduced and read 1st and 2nd times 508, further proceedings 553, 654, 706, 716, passed 749, passed senate 780, approved 806.

319. Appropriating to Jerome R. Brigham a sum of money therein named—introduced and read 1st and 2nd times 508, further proceedings 572, 706, 716, passed 744, passed senate 780, approved 805.

320. To establish the "ten hour system of labor" on public works—introduced and read 1st and 2nd times 508, further proceedings 706, 716, passed 744.

321. To grant to the Chicago and Galena and Chicago Union Rail Road Company the privilege of extending and running said road through Lafayette county—introduced and read 1st and 2nd times 508, further proceedings 573, 706, 722, 723.

322. To appropriate to J. W, Seaton a certain sum of money—introduced and read 1st and 2nd times 508.

323. To appropriate to J. L. Marsh a certain sum of money—introduced and read 1st and 2nd times 508, approved 808.

324. To legalize the organization and acts of school district no. 4, in the town of Ashippun, in Dodge county—introduced and read 1st and 2nd times 508, further proceedings 706, 716, passed 744.

325. To change the name of the village of Jefferson in Grant county—introduced and read 1st and 2nd times 508, further proceedings 626, 706, 719, passed 742, passed senate 774,

326, To appropriate to Atwood & Buck the sum of money therein named; introduced and read 1st and 2d times 508.

327. To appropriate to J. A. Hadley the sum therein named, introduced and read 1s and 2d times 509.

328. To appropriate to Robert B. Wentworth the sum of money therein named; introduced and read Ist and 2d times 509.

329. Defining certain duties of the State Superintendent; introduced and read 1st and 2d times 509, further proceedings 706, 716, passed 743.

330. To appropriate to E. B. Quiner the sum therein named—introduced and read 1st and 2d times 509.
331. To appropriate to W. W. Wyman & Sons the sum therein named—introduced and read 1st and 2d times 509.
332. To appropriate a certain sum of money therein named —introduced and read 1st and 2d times 509, further proceedings 625, 716, passed 743, passed senate 780.
333. In relation to normal schools—introduced and read 1st and 2d times 509, further proeeedings 706, 716, passed 742.
334. To appropriate money for the purposes therein mentioned—introduced and read 1st and 2d times 509, further proceedings 706. lost 719.
335. To appropriate to S. M. Booth a certain sum of money—introduced and read 1st and 2d times 509.
336. A bill to appropriate to A. J. Ladue a certain sum of money—introduced and read 1st and 2d times 510.
337. For the relief of the treasurer of the town of Kendall, in the county of La Fayette for the year 1850—introduced and read 1st and 2d times 510, further proceedings 552, 706. 717, passed 742.
338. In relation to bridges across navigable streams—introduced and read 1st and 2d times 510, further proceedings 706, 717,, 743, passed 744.
339. To authorize the town authorities of Ft. Winnebago to construct a free bridge across the Wisconsin river—introduced and read 1st and 2d times 510, further proceedings 706, 717, passed 742.
340. To appropriate to Fratney & Hertzberg a certain sum of money—introduced and read 1st and 2d times 510.
331. To appropriate to Beriah Brown the sum therein named—introduced and read 1st and 2d times 510.
342. To appropriate to Beriah Brown the sum therein named—introduced and read 1st and 2d times 510.
343. To appropriate to R. A. Bird the sum therein named; introduced and read 1st and 2d times 510.
344. To appropriate to D. T. Dickson the sum therein named; introduced and read 1st and 2d times 510, further proceedings 529. lost 630.
345, To authorize the construction of a bridge across Wolf river at Mukwa, in the county of Waupaca—introduced and read 1st and 2d times 511, further proceedings 706 707, passed 741, passed senate 774, approved 807.
346, To appropriate to Moritz Schoeffler, the sum therein named—introduced and read 1st and 2d times 511, further proceedings 706. 717, passed 744, passed senate 774, approved 807.

347. To appropriate to William Gansman the sum therein named—introduced and read 1st and 2d times 511, further proceedings 717, passed 745, passed senate 774 approved 807.

348. To repeal "an act authorizing J. D. Doty, Curtis Reed, Harrison Reed and their associates to construct a bridge across the south branch of Lake Winnebago." approved Feb. 5, 1850—introduced and read 1st and 2d times 511, further proceedings 545, passed —, passed senate 660.

349. To permanently locate the seat of justice of Washington county—introduced and read 1st and 2d times 511 further proceedings 708, 726, 727, indefiinitely postponed 728.

351. To appropriate to Ole Torgerson the sum therein named—introduced and read 1st and 2d times 511, further proceedings 625, 717, passed 745, passed senate 774, approved 807.

352. To legalize school district No. 2, in Fort Winnebago, and authorize a tax; introduced and read 1st and 2d times 512, further proceedings 717, passed 742.

353. To incorporate the Oshkosh and Waupun plank road company; introduced and read 1st and 2d times 512, further proceedings 573, 720, 721.

354. To confer special powers upon the people of Columbia county, to understand the Revised Statutes; introduced and read 1st and 2d times 512.

355. To legalize school district No. 4, in the town of Ottowa. —introduced and read 1st and 2d times 512, further proceedings 706, 719, passed 742, passed senate 781, approved 806.

356. To appropriate to A. P. Thompson the sum therein named; introduced and read 1st and 2d times 528, further proceedings 703, 717, passed 746.

357. To appropriate to Bird & Mills the sum therein named —introduced and read 1st and 2d times 528, further proceedings 707, 717, 736, approved 807.

358. To appropriate to J. F. Wilson the sum therein named —introduced and read 1st and 2d times 528, further proceedings 707, 717, passed 746. passed senate 774, approved 807.

359. To authorize the Register of Deeds of Manitouwoc county to obtain from the office of the Register of Deeds of Brown county, certain instruments therein named—introduced and read 1st and 2d times 542, further proceedings 707, 720, passed 742, passed senate 774, approved 807.

360. To authorize school district No. 4, in the town of Waldwic, in the county of Iowa, to draw its proportion of school money for 1850—introduced and read 1st and 2d times 572, further proceedings 707, 717, passed 742, passed senate 774, approved 808,

361. To pay M. Schoeffler the sum therein named—introduced and read 1st and 2d times 573, further proceedings 625, 708, 726, 769, passed 776, passed senate 788, approved 806.

362. To provide the manner in which Town Superintendents of schools shall extend or alter school districts in their respective towns—introduced and read 1st and 2d time 590, further proceedings 707, lost 720.

363. For the relief of common schools in the county of Jefferson—introduced and read 1st and 2d time 594, passed 622, passed senate 631.

364. To vacate a part of the territorial road in Dodge county, surveyed by Victor M. Adams, under the direction of Isaac Noyes and Benjamin Clausen, commissioners, and established by an act of the territorial legislature, approved Feb. 22, 1845—introduced and read 1st and 2d time 596, further proceedings 607, 717, passed 742 passed senate 774, approved 808.

365. To pay the expenses of the legislature for the year 1851—introduced and read 1st and 2d times 605, further proceedings 707, indefinitely postponed 718.

366. To appropriate to J. H. Lewis the sum therein named—introduced and read 1st and 2d time 606, further proceedings 717, passed 747, passed senate 774, approved 808.

367. To appropriate to R. L. Ream the sum therein named—introduced and read 1st and 2d times 622, further proceedings 718, passed 747.

368. To appropriate to S. Chapman the sum therein named—introduced and read 1st and 2d times 622, further proceedings 707, 717, passed 748.

369. To incorporate the St. Croix boom company—introduced and read 1st and 2d times 623, further proceedings 624, passed 929, passed senate 752, approved 806.

370. To appropriate to Waite & McLaughlin the sum therein named—introduced and read 1st and 2d times 625, further proceedings 707, 718, passed 748.

371. To appropriate to James Dennison the sum therein named—introduced and read 1st and 2d times 625, further proceedings 706, 707, 718, passed 789, passed senate 780, approved 808.

372. Supplementary to "an act authorizing the collection and assessment of taxes in the city of Milwaukie," approved Jan. 24, 1851—introduced and read 1st and 2d times 640, passed —, passed senate 685, approved 805.

373. To incorporate the Delavan railroad company—introduced and read 1st and 2d times 640, further proceedings 707, passed 742, passed senate 775.

374. To provide for the re-appraisal of the University lands, and granting preemption rights thereon—introduced and read 1st and 2d times 661, further proceedings 705 798, passed 730.

375. Supplementary and amendatory to an act entitled "an act to incorporate the city of Milwaukie, and acts amendatory thereto,"—introduced and read 1st and 2d times 661, further proceedings 662, 663, passed 663, passed senate 701, approved 804,

376. To pay J. L, Marsh the sum therein named—introduced and read 1st and 2d time 682, further proceedings 734, passed 762, approved 808.

377. To provide for the payment of the contingent expenses of the state of Wisconsin—introduced and read 1st and 2d times 693, further proceedings 707, 718, passed 749, passed senate 751.

378. To appropriate to certain persons the sums therein named—introduced and read 1st and 2d times 740, further proceedings 775, passed 776, passed senate 788 approved 806.

379. To authorize the Governor and Secretary of State to audit the accounts of Beriah Brown—introduced and read 1st, 2d and 3d times, and passed 777.

380. To vacate a certain street in the village of Greenbush, in Sheboygan county—introduced and read 1st and 2d times, further proceedings and passed 778.

381. To apportion and district anew the members of the Senate and Assembly, of the State of Wisconsin—introduced and read 1st and 2d times 783, further proceedings 789, passed 789, passed senate 793, vetoed 810, 811, reconsidered and lost 812.

382. To provide for clerks in the office of Secretary of State, State Superintendent of public instruction, and State Treasurer—introduced and read 1st 2d and 3d times, and passed 791, passed senate 812.

SENATE BILLS.

48. To appropriate to Robert L. Ream the sum therein named , introduced from senate 268, read 1st and 2nd times 275, further proceedings 354, passed 356.

64. To amend an act entitled "an act granting to Marcus Warren and Moses S. Calkins the right to keep and maintain a ferry across the Wisconsin river"; introduced from senate 268, read 1st and 2nd times 275, further proceedings 331, passed 338.

83. To establish the Baraboo Academy; introduced from senate 268, read 1st and 2nd times 275, further proceedings 343, passed 357.

85. To incorporate the county of Waupacca; introduced from senate 274, read 1st and 2nd times 275, further proceedings 291.

78. To incorporate the Milwaukee and Fond du Lac rail road company, introduced from senate 274, read 1st and 2nd times 275, further proceedings 332, passed 338.

84. To appropriate to Timothy Burns the sum therein named; introduced from senate 274, further proceedings 332, 340, passed 579.

106. To amend the charter of the Milwaukee and Mississippi rail road company; introduced from senate 287, read 1st and 2nd times 288, further proceedings and passed 288.

30. To appropriate money to pay the mileage of members of the legislature; introduced from senate and read 1st and 2nd times 90, further proceedings 91, 95, 103.

19. To appropriate to S. W. Beall a certain sum of money; introduced from senate and read 1st and 2nd times 90, further proceedings 91, 95, 139, 150, passed 159.

22. To provide for the punishment of murder in the 1st degree, and to abolish punishment by death; introduced from senate 113, read 1st and 2nd times 124, further proceedings 150, 151, 289, 291, 299, 300, enacting clause stricken out 302.

29. To incorporate the Green Bay, Milwaukee and Chicago rail road company: introduced from senate 148, read 1st and 2nd times 149, further proceedings 160, 172, 232, 233, passed 242, vetoed 403.

35. To incorporate the Fire Department of the city of Milwaukee; introduced from senate 148, read 1st and 2nd times 149, further proceedings 160, passed 168.

36. To provide for laying out a certain road therein described; introduced from senate 145, read 1st and 2nd times 149, further proceedings 160, passed 168.

23. To authorize the collection of delinquent taxes in the county of Fond du Lac—introduced from senate 91, further proceedings 94, 108, 113, 115, passed 116, approved 166.

26. To authorize the board of supervisors of the town of Mineral Point to levy a special tax for the support of the poor of said town—introduced from senate 101, read 1st and 2nd times 103, passed 104, approved 166.

25. To amend sec. 11, of an act to provide for the improvement of the Fox and Wisconsin rivers, and connecting the same by a canal, approved Aug. 8, 1848—introduced from senate 107, further proceedings 124, 135, 165, passed 159.

7. To amend sec. 9, chap. 131, of the Revised Statutes—introduced from senate 120, read 1st and 2nd times 124, further proceedings 135, passed 159.

31. In relation to the publication of legal notices—introduced from senate 120, read 1st and 2nd times 124, further proceedings 131, 135, passed 141.

34. To grant to the United States an acre of school section in the city of Racine—introduced from senate 125, read 1st and 2nd times 125, further proceedings 126, 128.

12. To appropriate to Hatch & Patterson the sum therein named—introduced from senate 83, read 1st and 2nd times 88, further proceedings 91, 102, passed 105.

13. To appropriate to T. H. Brown the sum therein named—introduced from senate 83, read 1st and 2nd times 85, further proceedings 91, 102, passed 106.

14. To appropriate to J. & W. H. Carey the sum therein named—introduced from senate 83, read 1st and 2n times 85, further proceedings 91, 103, passed 106

15. To amend the law in relation to the action of ejectment—introduced from senate 83, read 1st and 2nd times 85, further proceedings 91, 173, passed 189.

16. To change the time for holding the county court for the county of Kenosha—introduced from senate 83, read 1st and 2nd times 85, further proceedings 94, 95, passed 104, approved 166.

27. To extend the time for collecting taxes in the county of Fond du Lac—introduced from senate 83, read 1st and 2nd times 85, further proceedings 90, passed 91, further proceedings 103.

33. To extend the time for collecting and making return of taxes levied in the city of Milwaukee for state, county and school purposes for the year 1850—introduced from senate and read 1st and 2nd times 167, further proceedings and passed 167.

42. To pay D. T. Dixon the sum therein named—introduced from senate and read 1st and 2nd times 167, further proceedings 189, 207, 231, passed 241.

32. To amend an act to authorize Clauden Stoughton and Luke Stoughton to build and maintain a dam across Rock river, and also to authorize Anson W. Pope and Virgil Pope to build and maintain a dam across said stream, approved April 7, 1843—introduced from senate 167, read 1st and 2nd times 175, further proceedings 213, 769, 770, passed 770.

35. To amend chap. 15, of the Revised Statutes and describe the manner in which delinquent tax lands bid off by counties shall be taxed—introduced from senate 167, read 1st and 2nd times 176, further proceedings 189, 190, passed 199, notice of veto 287.

43. To incorporate the Potosi and Dodgeville rail road company—introduced from senate 178, read 1st and 2nd times 189, further proceedings 190, 191, passed 199.

46. To repeal an act entitled "an act to organize the town of Monticello, county of Lafayette—introduced from senate 178, read 1st and 2nd times 186, further proceedings 213, 214, 282, 343, 428.

100. To amend part 2, sec. 4, chap, 15, of the Revised Statutes; introduced from senate 302, read 1st and 2d times 324, further proceedings 407, enacting clause stricken out 408.

90. To authorize the construction of a bridge across Fox river at Little Chute; introduced from senate 316, read 1st and 2nd times 324, further proceedings 407, passed 424.

102. To appropriate to E. H. Rudd the sum therein named; introduced from senate 316, read 1st and 2nd times 324, further proceedings 407, 408, 473, passed 479.

109. To incorporate the Milwaukee and Green Bay plank road company; introduced from senate 317, read 1st and 2nd times 324, further proceedings 428, 429, 439, 472.

50. To change the system of county government; introduced from senate 332, read 1st and 2nd times 333, further proceedings 382, lost 583.

111. To appropriate to the county of Waukesha the sum therein named; introduced from senate 382, read 1st and 2nd times 333, further proceedings 334, 428, 429, passed 439.

103. To amend an act entitled "an act to incorporate the city of Kenosha," approved Feb, 8, 1850; introduced from senate 344, read 1st and 2nd times 357, further proceedings 563, 583, passed 593.

65. To repeal a part of an act entitled "an act to incorpo-

rate the Wisconsin bridge company ; introduced from senate 344, read 1st and 2nd times 357, further proceedings 480, 606, passed 768.

53. To appropriate to R. W. Lansing a certain sum of money ; introduced from senate 306, read 1st and 2nd times 324, further proceedings 352, passed 401, 402.

104. To appropriate to the county of Racine a sum of money therein named : introduced from senate 301, read 1st and 2nd times 305, further proceedings 305, passed 305, 306.

91. To vacate a part of a street in the village of Strongsville, Marquette county : introduced from senate 301, read 1st and 2nd times 324, further proceedings 407, 424.

93. To appropriate to Barstow & Hatch the sum therein named : introduced from senate 301, read 1st and 2nd times 324, further proceedings 407, passed 425.

94. Appropriating to Fratney & Herzberg the sum therein named : introduced from senate 301, read 1st and 2nd times 324, passed 425.

95. Appropriating to James W. Seaton the sum therein named : introduced from senate 301, read 1st and 2nd times 324, further proceedings 407, passed 426.

96. To appropriate to Knud Langland the sum therein named : introduced from senate 301, read 1st and 2nd times 324, further proceedings 407, passed 426.

97. To appropriate to S. M. Booth the sum therein named : introduced from senate 301, read 1st and 2nd times 324, further proceedings 407, passed 427.

6 Making an appropriation to the reporter of the supreme court : introduced from senate 56, read 1st and 2nd times, com. of whole reported back and passed 56, 57.

3. Providing for the election of a chief justice ; introduced from senate 72, read 1st and 2nd times 78, further proceedings 78, 139, 150, passed 158.

4. Authorizing the construction of wharves in the city of Milwaukee ; introduced from senate 72, read 1st and 2nd times 78, further proceedings 91, 521, 561, passed 579.

9. To appropriate to L. T. Rice the sum therein named ; introduced from senate 82, read 1st and 2nd times 85, further proceedings 91, 102, passed 104.

10. To appropriate to R. B. Rice the sum therein named ; introduced from senate 82, read 1st and 2nd times 85, further proceedings 91, 102, passed 104.

11. To appropriate to James P. Greves the sum therein named ; introduced from senate 82, read 1st and 2nd times 85, further proceedings 91, 102.

47. To provide for the laying out of a state road in the county of Brown—introduced from senate 178, read 1st and 2d times 186, further proceedings 213, 216, passed 226.

49. In relation to public printing—introduced from senate 178, read 1st and 2d times 186, further proceedings 213, 216, passed 226.

52. To appropriate to G. W. Gillett a certain sum of money—introduced from senate 186, read 1st and 2d times 209, further proceedings 273, 331, 338.

54. Relating to the Milwaukie and Mississippi railroad company—introduced from senate 186, read 1st and 2d times 209, further proceedings and passed 234, notice of veto 287.

60. To appropriate to Rev. Wesley Lattin the sum therein named—introduced from senate 216, read 1st and 2d times 226, further proceedings 293, 331, passed 339.

61. To vacate a part of the town plat of the village of Rockport, in the county of Rock—introduced from senate 217, read 1st and 2d times 226, further proceedings 255, passed 265.

62. To vacate a part of the town plat of Miltimores addition to Janesville—introduced from senate 217, read 1st and 2d times 226, further proceedings 255, passed 265.

70. To attach certain territory therein named to the county of Brown—introduced from senate 217, read 1st and 2d times 226, further proceedings 295.

28. To authorize R. H. McGoon to construct and maintain a dam across the Pekatonic river in Lafayette county—introduced from senate 148, read 1st and 2d times 149, further proceedings 159, 173, 198, 199, passed 199.

39. To change the name of the town of Farmersville, in Dane county—introduced from senate 148, read 1st and 2d times 149, further proceedings 169, passed 168 approved 208.

40. To appropriate to the legal representatives of Jackson Richardson, deceased, a certain sum of money—introduced from senate 148, read 1st and 2d times 149, further proceedings 157, 200, passed 201, 202.

41. To appropriate to Emery Healy a certain sum of money introduced from senate 148, read 1st and 2d times 149 further proceedings 157, 189, 190, passed 199.

51. To authorize the Milwaukie and Janesville plank road company to build branch road—introduced from senate 201, read 1st and 2d times 209, further proceedings 243, 244, passed 251.

18. To set apart and incorporate Door county—introduced from senate 201, read 1st and 2d times 209, further proceedings 256.
55. To amend chap. 127 of Rev. Statutes—introduced from senate 201, read 1st and 2d times 209, further proceedings 255, 256, passed 265.
75. To change the names of 3d and 4th lakes and of Catfish river in Dane county—introduced from senate 201 read 1st and 2d times 209, further proceedings 257.
182, To authorize the Racine and Rock River plank road company to extend a branch of their road to Sugar Creek prairie—introduced from senate 520, read 1st and 2d times 530, further proceedings 679, passed 680.
185. To pay William Doughty the principal and interest due on five bonds, issued by the territory of Wisconsin —introduced from senate 520, read 1st and 2d times 531. further proceedings 572, 679, 7[illegible]3, passed 712.
188. To authorize the construction of a free bridge across the Milwaukie river at Humboldt, in Milwaukie county—introduced from senate 520, read 1st and 2d times 551, further proceedings 680, passed 680.
190. To vacate a part of the town plat of the village of Westfield, in Sauk county—introduced from senate 520, read 1st and 2d times 531. further proceedings and passed 680.
191. To provide for laying out a state road from Fort Atkinson to Palmyra in Jefferson county—introduced from senate 520, read 1st and 2d times 531, further proceedings and passed 680.
193. To authorize the laying out of a state road from Reedsburgh in Sauk county to Stevens point in Portage county—introduced from senate 520, read 1st and 2d times 531, further proceedings and passed 680.
194. Appropriating to E. B, Quiner the sum therein named —introduced from senate 520, read 1st and 2d times 531, further proceedings 572, 680, 703, passed 713.
181. To incorporate the Fox River Manufacturing Company—introduced from senate 537, further proceedings 679, passed 680.
201. To incorporate the Columbia and Sauk county bridge company—introduced from senate 538, read 1st and 2d times 552, further proceedings 680.
202. Appropriating to Morritz Shoeffler the sum therein named; introduced from senate 538, read 1st and 2d times 552, further proceedings 753, 755, passed 757.
203. Appropriating to F. F. Davis, sheriff of Fon du Lac county, the sum of money therein named; introduced

from senate 538, read 1st and 2d times 552, further proceedings 753, 755, passed 757.

204. To appropriate to Jackson Richardson or his legal representatives the sum therein named; introduced from senate 538, read 1st and 2d times 552, further proceedings 754, 755, passed 757.

210. To provide for laying out a state road from Prairie du Lac in Sauk county to Prairie du Chien in Crawford county; introduced from senate 538, read 1st and 2d times 552, further proceedings 754, 755, passed 756.

212. To prohibit the appointment of county agents and for other purposes; introduced from senate 538, read 1st and 2d times 552, further proceedings 754, 755, 762, passed 762.

213. To amend an act entitled "an act to incorporate the Southport and Beloit railroad company," approved March 6th, 1848; introduced from senate 538, read 1st and 2d times 552, further proceedings 754, 755.

214. To change the name of the village of Norris in Sauk county; introduced from senate 538, read 1st and 2d times 552, further proceedings 754, 755.

238. To appropriate to D. Holt, Jr. the sum therein named; introduced from senate 538, read 1st and 2d times 552, further proceedings 680, passed 700.

239. To appropriate to E. D. Masters the sum of money therein named; introduced from senate 538, read 1st and 2d times 552, further proceedings 754, 758, passed 759.

176. To incorporate the Omro and Waupun plank road company; introduced from senate 567, read 1st and 2d times 576, further proceedings 679, 696, passed 703.

154. To authorize the construction of bridges across the Portage canal; introduced from senate 567, read 1st and 2d times 576, further proceedings 629.

244. To authorize a ferry across the Wisconsin river; introduced from the senate 567, read 1st and 2d times 576, further proceedings 736, substitute reported and adopted 736, 737, 738, passed 763.

209. To vacate the town plat of Dunkirk Falls; introduced from senate 567, read 1st and 2d times 576, further proceedings 754, 755, lost 762.

158. To amend chap. 125, of the Revised Statutes entitled "of writs of mandamus and prohibition;" introduced from senate 579, read 1st and 2nd times 592.

200. To appropriate to J. C. Fairchild the sum therein named; introduced from senate 579, read 1st and 2nd times 592, further proceedings 665, 753, 755, passed 756.

220. To incorporate the Sheboygan and Calumet plank road company : introduced from senate 579, read 1st and 2nd times 592, further proceedings 754, 755, 762.

155. To incorporate the Milwaukee and Lisbon plank road and turnpike company ; introduced from senate, read 1st and 2nd times 614.

183, To incorporate the Milwaukee and Wauwatosa plank road company : introduced from senate 594, read 1st and 2nd times 614, further proceedings 679, 696, passed 702.

219. To declare a certain street a public highway ; introduced from senate 594, read 1st and 2nd times 614, further proceedings 754, 755, passed 756.

222. To incorporate the Wilmot Academy : introduced from senate 599, read 1st and 2nd times 614, further proceedings 754, 755, 762.

235. To incorporate the Delevan branch rail road company ; introduced from senate 594, read 1st and 2nd times 614, further proceedings 754, 755.

57. To authorize the aldermen of the 3rd ward of the city Milwaukee to pave certain streets in said ward ; introduced from senate 598, read 1st and 2nd times 614, further proceedings 679, passed 680.

195, To authorize certain payments to be made to clerks of the circuit courts ; introduced from senate 614, read 1st and 2nd times 614, further proceedings 680.

245. To authorize the laying out of state roads therein named ; introduced from senate, and read 1st and 2nd times 614, further proceedings 755, passed 763.

246. To appropriate to J. C. Fairchild the sum therein named ; introduced from senate, and read 1st and 2nd times 614, further proceedings 755, passed 759.

215. To appropriate a certain sum to pay the postage of the present session of the legislature ; introduced from senate and read 1st and 2nd times 614, further proceedings 658, 668, passed 702.

225. To incorporate the village of Baraboo ; introduced from senate 614, read 1st and 2nd times 614.

251. To appropriate a certain sum of money ; introduced from senate 631, further proceedings 755, passed 759.

255. To appropriate money to pay the per diem of members and the salaries of officers of the legislature ; introduced from senate and read 1st and 2nd times 644, 645, further proceedings 645, passed 647.

237. To incorporate the Madison and Prairie du Chien rail road company , introduced from senate 660, read 1st and 2nd times, further proceedings 670, 754, 755, passed 762, reconsidered 775.

131. Relating to the duties of sheriffs, justices of the peace and constables—introduced from senate 421, read 1st and 2d times 438, further proceedings 628, 629, passed 646.

133. To pay Benton and Garfield the sum therein named—introduced from senate 421, read 1st and 2d times 438 further proceedings 619, 627, 665, passed 670, 671.

134. Authorizing the governor to enter into contract with Morgan L. Martin for the improvement of Fox river between Lake Winnebago and Green Bay—introduced from senate 421, read 1st and 2d times 438, further proceedings 619, passed 627.

141. To appropriate to Demming Fitch the sum therein named—introduced from the senate 421, read 1st and 2d times 438, further proceedings 628, 630, 665, passed 671.

142. To appropriate to Elisha Burdick the sum therein named—introduced from the senate 421, read 1st and 2d times 437, further proceedings 628, 630, 665.

143. To appropriate to J. Kipp Anderson the sum of money therein named—introduced from senate 422, read 1st and 2d times 438, further proceedings 628, 630, 665, postponed 665, passed 671.

144. To appropriate to N. W. Dean the sum therein named—introduced from senate 422, read 1st and 2d times 438, further proceedings 620, 657, 677, passed 699.

145. To appropriate to Lafayette Kellogg the sum of money therein named—introduced from senate 422, read 1st and 2d times 438, further proceedings 657, 677, passed 699.

147. To authorize the laying out of a state road therein named—introduced from senate 422, read 1st and 2d times 438, further proceedings 620, p ssed 627.

152. To appropriate to Cannon & Sadd the sum therein named—introduced from senate 422, read 1st and 2d times 435, further proceedings 621, 648, 677, passed 700.

165. To incorporate the Fort Winnebago, Baraboo Valley and Minnesota rail road company—introduced from senate 422, read 1st and 2d times 438, further proceedings and passed 646.

1. To limit the rate of interest—introduced from senate 444, read 1st and 2d times 453, further proceedings 441, 596, 598, passed 599.

150. To amend chapter 19 of the Revised Statutes—introduced from senate 462, read 1st and 2d times 476, further proceedings 620, lost 621.

160. Defining the boundaries of the village of Westfield in the county of Sauk—introduced from senate 462, read 1st and 2d times 476, further proceedings 477, passed 478.

161. To provide for the election of Supervisors in the city of Kenosha—introduced from senate 462, read 1st and 2d times 476, further proceedings 628, 629, passed 646.

166. To legalize the acts of the clerk of the circuit court of Green county—introduced from senate 462, read 1st and 2d times 476, further proceedings 629, passed 646.

167. To authorize the laying out of a state road therein named—introduced from senate 462, read 1st and 2d times 476, further proceedings 629, passed 646.

168. To authorize the laying out of a state road therein named—introduced from senate 462, read 1st and 2d times 476, further proceedings 560, 561, 629, passed 646.

170. To amend an act entitled "an act to incorporate the Milwaukie Mutual Fire Insurance Company—introduced from senate 462, read 1st and 2d times 476. further proceedings 629. laid on the table —, reconsidered 792, passed 793.

171. To provide for laying out and opening a state road from Battlefield to Coon Prairie in Bad Axe county—introduced from senate 462. read 1st and 2d times 476, further proceedings 629, passed 646.

173. To authorize the laying out of a state road therein named—introduced from senate 462, read 1st and 2d times 476, further proceedings 629, passed 646.

174. To appropriate to Geo. Hyer the sum therein named —introduced from the senate 462, read 1st and 2d times 476, further proceedings 629, passed 647.

175. To amend sec 9, of chap. 76, of the Revised Statutes —introduced from the senate 462, read 1st and 2d times 476, further proceedings 629, 647, 657, passed 670.

164. To provide for holding the terms of the circuit courts in the counties therein named—introduced from senate 480, read 1st and 2d times 492, further proceedings 545, 560, 580, 657, passed 670.

172. To authorize the laying out of a state road therein named—introduced from senate 480, read 1st and 2d times 492, further proceedings 629, passed 646.

113. To incorporate the fire department of the city of Kenosha—introduced from senate 371, read 1st and 2d times 380, further proceedings 563, passed 581.

137. To legalize the official acts of the town officers of the town of Ellington, in Brown county—introduced from senate, read 1st and 2d times, further proceedings and passed 372.

114. To authorize the erection of a free bridge across the Milwaukie river—introduced from senate 372, read 1st and 2d times 380, further proceedings 543, passed 544.

129. To incorporate the Milwaukie gas light company—introduced from senate 372, read 1st and 2d times 380, further proceedings 564.

122. To provide for laying out a state road from Menasha to Plover portage—introduced from senate 372, read 1st and 2d times 380, further proceedings 619, passed 627.

123. To appropriate to Egbert Mosely the sum therein named—introduced from senate 372, read 1st and 2d times 380, further proceedings 619, 657, 677, passed 699.

105. Relating to the use of the dredge boat in certain cases—introduced from senate 389, read 1st and 2d times 398, further proceedings 563, 580.

125. To change the name of the village of Arena in the county of Iowa—introduced from senate 389, read 1st and 2d times 398, further proceeding 619, passed 627.

135. To incorporate the Fon du Lac plank road company—introduced from senate 389, read 1st and 2d times 398, further proceedings 620, 621, passed 621.

146. To amend an act entitled "an act to incorporate the Sheboygan and Fon du Lac road company," approved March 11, 1848—introduced from senate 389, read 1st and 2d times 398, further proceedings 544, passed 544.

21. To amend section 2, of chapter 108, of the Revised Statutes—introduced from senate 389, read 1st and 2d times 398, further proceedings 544, passed 553.

129. To authorize Napoleon B. Millard and Augustus D. Bonesteel to build and maintain a dam across the Little Wolf river—introduced from Senate 389, read 1st and 2nd times 398, further proceedings 619, passed 627.

156. An act supplementary to an act to authorize the assessment and collection of taxes in the city of Milwaukie, approved Jan. 24th 1851—introduced from senate 403 read 1st and 2d times 420, further proceedings and passed 499.

132. In relation to insurance on property in the city of Kenosha, made by associations and individuals, authorized by law—introduced from senate 403, read 1st and 2d times 420, further proceedings 619, passed 627.

136. To change the name of the town of Kaukalin in the county of Brown—introduced from senate 403, read 1st and 2d times 420, further proeeedings 628, 629, passed 646.

155. To vacate a portion of the town plat of Wisconsin city, in Rock county—introduced from senate 403, read 1st and 2d times 420, further proceedings and passed 621.

138. To incorporate the village of Delevan—introduced from senate 403, read 1st and 2d times 420, further proceedings 620, passed 621.

110. To provide for granting divorces in certain cases—introduced from senate 403, read 1st and 2d times 420, further proceedings 563, lost 566.

162. To authorize the construction of a bridge across Fox river at Grand Kaukalin—introduced from senate 403, read 1st and 2d times 420, 628, 629, passed 646.

163. To authorize the construction of a toll bridgs across Fox river—introduced from senate 403, read 1st and 2d times 420, further proceedings 629, passed 646.

158. To incorporate the Green Bay, Milwaukie and Chicago railroad company—introduced from senate 403, read 1st and 2d times —, further proceedings 628, passed 670.

99. To incorporute the Milwaukie and Watertown railroad —introduced from senate 350, read 1st and 2d times 357, further proceedings 564, passed 593.

118. To amend chap. 131, sec. 37, of Revised Statutes—introduced from senate 350, read 1st and 2d times 357, further proceedings 563, 626, lost 655.

121. To authorize the laying out of a state road in Sauk county—introduced from senate 350, read 1st and 2d times 357, further proceedings 619, passed 627.

66. To amend chap. 65, sec. 17, of Revised Statutes, providing for the sale of lands by administrators, executors and guardians—introduced from senate 371, read 1st and 2d times 380, further proceedings 545, passed 553.

112. To appropriate to C. Clement the sum of money therein named—introduced from senate 371, read 1st and 2d times 380, further proceedings 563, passed 580.

115. To declare Bear Creek a navigable stream—introduced from senate 371, read 1st and 2d times 380, further proceedings 563, enacting clause stricken out 564.

116, To vacate a part of the plat of the village of Darlington, in the county of Lafayette—introduced from senate 371, read 1st and 2d times 380, further proceedings 563, passed 581.

117. To appropriate to Thomas Bullen the sum therein named—introduced from senate 571, read 1st and 2d times 380, further proceedings 563, passed 581.
17. To divide the county of Brown and create the county of Outagamie—introduced from senate 205, read 1st and 2nd times 209, further proceedings 243, 244, 251, passed 341.
58. To extend the corporate limits of the village of Madison—introduced from senate 205, read 1st and 2nd times 209, further proceedings 255, passed 265.
59. Granting pre-emption rights to settlers upon the even numbered sections of land in the Fox River reserve—introduced from senate 217, read 1st and 2nd times 226, further proceedings 256, 257, passed 265.
67. To vacate a part of the town plat of the village of Dunkirk Falls, Dane county—introduced from senate 217, read 1st and 2nd times 226, further proceedings 255, passed 265.
68. To amend an act entitled an act to incorporate the city of Kenosha—introduced from senate 218, read 1st and 2nd times 226, further proceedings 255, passed 256.
56, To incorporate the Watertown and Waterloo plank road company—introduced from senate 241, read 1st and 2nd times 251, further proceedings 331, 352, 440, 441, passed 479.
69. To incorporate the Fox and Wisconsin river plank road company—introduced from senate 241, read 1st and 2nd times 251, further proceedings 277, 278, 389, 515,
73. To appropriate to Morritz Shoeffler the sum therein named—introduced from senate 241, read 1st and 2nd times 257, further proceedings 331, passed 339.
76, To extend the corporate limits of the city of Kenosha—introduced from senate 241, read 1st and 2nd times, further proceedings 331, passed 338.
74. To appropriate to Morritz Shoeffler the sum therein named—introduced from senate 288, read 1st and 2nd times 297, further proceedings 331, passed 340.
79. To incorporate the Madison and Swan Lake rail road company—introduced from senate 289, read 1st and 2nd times 297, further proceedings 407, passed 424,
80. To authorize the laying out of a state road in Columbia county; introduced from senate 239, read 1st and 2d times 267, further proceedings 407, passed 424.
81. To amend sec. 213, chap. 88, of the Revised Statutes—introduced from senate 289, read 1st and 2nd times 297, further proceedings 407, 408, 473, 583, 626, 655.

83. To appropriate to G. H. Slaughter the sum therein named; introduced from senate 289, read 1st and 2nd times 297, further proceedings 332, passed 340.

88, To authorize to construction of a toll bridge across Fox river at Grand Chute; introduced from senate 289, read 1st and 2nd times 297, further proceedings 343, passed 357.

87. To provide for the organization of Electric Telegraph Companies; introduced from senate 289, read 1st and 2nd times 297, further proceedings 343, passed 357.

89. To authorize the construction of a bridge across Fox river at Grand Kaukana, introduced from senate 289, read 1st and 2nd times 297, further proceedings 343, passed 357.

196. To incorporate the Hazle Green mining company—introduced from senate 498, read 1st and 2nd times 513, passed 621,

197. To provide for laying out a state road from Franklin in Iowa county to intersect the state road at or near Round Prairie in Bad Ax county—introduced and read 1st and 2nd times 531, further proceedings 680, 696, 703, passed 711.

193. Providing for the appointment of commissioners to review and survey a territorial road therein named—introduced and read 1st and 2nd times 531, 696, 703, passed 711.

199. To appropriate to John W. Hunt the sum of money therein named—introduced and read 1st and 2nd times 531, further proceedings 572, passed 573.

205, To appropriate to Rood & Whittemore the sum therein named—introduced and read 1st and 2nd times 531, further proceedings 572, 752, 754, passed 758.

206. To amend chap. 15, of the Revised Statutes, and to prescribe the manner in which delinquent tax lands bid off by the counties shall be taxed—introduced and read 1st and 2nd limts 531, further proceedings 753, 754.

63. To amend chap. 88, of the Revised Statutes concerning the action of replevin before justices of the peace—introduced from senate 519, read 1st and 2nd times 530, further proceedings 679, lost 681.

126. Relating to the duties of auctioneers—introduced from senate 529, read 1st and 2nd times 530, further proceedings 678, 696, passed 701.

128. To establish highways—introduced from senate 529, read 1st and 2nd times 530, further proceedings 679, lost 681.

130. To incorporate the Lake and Mississippi steam boat company—introduced from senate 519, read 1st and 2nd times 520, further proceedings 679, passed 680.

151, To amend chap. 117 of the Revised Statutes relative to forcible entries and detainers—introduced from senate 519, read 1st and 2nd times 530, further proceedings 679, lost 681.

159. Concerning the writ of error—introduced from senate 519, read 1st and 2nd times 530, further proceedings 679, 703, passed 711.

179. To appropriate to Wm. E. Cramer the sum therein named—introduced from senate 519, read 1st and 2nd times 530, further proceedings 572, 679, 703, passed 712.

180. To vacate a portion of the plat of the village of Fond du Lac—introduced from senate 519, read 1st and second times 530, further proceedings 679, passed 680.

256, To appropriate to Mathew Wood the sum therein named—introduced from senate 668, read 1st and 2nd times 670, further proceedings 755, passed 760.

257. To appropriate to James Halpin the sum therein named—introduced from senate 668, read 1st and 2nd times 670, further proceedings 755, passed 760.

258. To pay the chaplains employed during the present session of the legislature—introduced from senate 668, read 1st and 2nd times — further proceedings 755, passed 761.

107. In relation to streets, alleys and sewers in the city of Milwaukee—introduced from senate 686, read 1st and 2nd times 698, further proceedings 698.

140. Further to appropriate money to pay the contingent expenses of the state superintendent of public instruction for the year 1850—introduced from senate 686, read 1st and 2nd times 698, further proceedings 698, 734, 753, 755, passed 756.

247. To repeal sec. 17, of chap. 9, of the Revised Statutes —introduced from senate 686, read 1st and 2nd times 698, further proceedings 755.

207. Extending the time of payment of the interest on mortgages for the loan of school money—introduced from senate 716, read 1st and 2nd times 734, further proceedings 754, 755, passed 756.

259. To appropriate to Beriah Brown the sum therein named—introduced from senate 716, read 1st and 2nd times 734, further proceedings 755, passed 761.

233. To appropriate money for the purposes therein mentioned—introduced from senate 716, read 1st and 2nd times 734, further proceedings 754, 755, passed 758.

101. To legalize the acts of the officers of school district no, 1, in the town of Springfield, Dane County—introduced from senate 726, read 1st and 2nd times 734, further proceedings 753, 758, passed 756.

249. To apportion and district anew the members of the senate and assembly of the state of Wisconsin—introduced from senate 726, read 1st and second times 734.

248. To provide for levying a state tax—introduced from senate 735, read 1st and 2nd times 741, further proceedings and passed 741.

253. To appropriate to the several persons the several sums therein named—introduced from senate 752, read 1st and 2nd time— further proceedings 766, passed 778.

260. To appropriate to Duncan C. Reed the sum therein named—introduced from senate 752, read 1st and 2nd times — further proceedings 766, passed 780.

261. To appropriate to C. L. Sholes the sum therein named —introduced from senate 774, read 1st and 2nd times 776, passed 777.

262. To appropriate to R. B. Wentworth the sum therein named—introduced from senate, read 1st, 2nd, and 3rd times and passed 781.

192. To incorporate the Madison Mutual Insurance Company—introduced from senate 788, read 1st and 2nd times and passed 789.

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3. (s,) To Congress in relation to a light house at La Pointe; introduced from senate 96, read 1st and 2d times, further proceedings and passed 108, approved 166.
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4. (s.) To Congress for the repeal or modification of the fugitive slave law; introduced from the senate 252, read 1st and 2d times 263, further proceedings 429, 505, 653.
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2. (a.) Asking a donation of land for the improvement of the mouth of Black river; introduced and read 1st and 2d times 112, further proceedings 188, passed 210, passed senate 252, approved 291.
3. (a.) To Congress in relation to the improvement of the Portland Canal in the state of Kentucky; introduced and read 1st and 2d times 139, further proceedings 267, passed 330, passed senate 371, approved 497.
4. (a.) Memorial to Congress for the establishment of a mail route from Prescott to the Falls of St. Croix; introduced and read 1st and 2d times

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5. (a.) To the President in relation to settlers on Pine lands; introduced and read 1st and 2d times 156, further proceedings 267, 276, passed 330, passed senate 371, approved 436.

6. (a.) To Congress, asking for the cession of the public lands to the state in which they lie, to be by them sold to actual settlers in limited quantities at cost introduced and read 1st and 2d times 281, further proceedings 296, passed 297, passed senate 462.

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9. (a.) To Congress to aid in the improvement of the Upper Wisconsin river—introduced and read 1st and 2d times 327, further proceedings 370, 372, passed 401, passed senate 461, approved 537.

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11. (a.) To Congress in relation to a mail route from Janesville, through Fulton, Cookville, Dunkirk, Bass lake, and lake View to Madison—introduced and read 1st and 2d times 417, further proceedings and passed 628, passed senate 685.

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